

PROCEEDINGS OF THE MADRAS GOVERNMENT.

ECCLESIASTICAL DEPARTMENT.

8th August 1876. No. 200.

Churches—Furniture, &c.

No. 7. Read the following Proceedings of the Government of India in the Financial Department, (Expenditure—Ecclesiastical,) dated Simla, 24th July 1876, No. 1739 :—

Read again the undermentioned orders :—

Financial Resolution, No. 4857, dated 10th August 1874.

Ditto ditto, „ 87, „ 9th January 1875.

Ditto ditto, „ 2022, „ 31st March 1875.

Ditto ditto, „ 2024, „ 31st March 1875.

Ditto ditto, „ 675, „ 9th February 1876.

RESOLUTION.—In supersession of all previous orders, the Governor-General in Council is pleased to decide that the following articles shall be supplied in future by the Public Works and Civil Departments, respectively, to all Churches, whether in the interior of the country or in the cities of Calcutta, Madras, and Bombay, except the Cathedrals in the Presidency towns, which should be specially treated :—

By the Public Works Department.

Appliances to seat the congregation and allow them to kneel in decent comfort.

Communion table and rails.

Pulpit.

Reading-desk with kneeling-stool. This should be simply a desk (however appropriately shaped), and not an enclosure, expensive from its size, and occupying needless space.

Font and cover.

One almirah, one table, and two chairs for the vestry.

One altar chair.

One lectern.

Punkahs, complete, and, when necessary, thermantidotes.

Suitable apparatus for lighting the Church.

One bell to summon the congregation to divine service, at a cost not exceeding Rupees 300 for a first-class Church, and Rupees 200 for a second-class Church.

Chicks or bamboo blinds when absolutely necessary.

By the Civil Department.

A suitable set of communion-plate. Price not to exceed Rupees 150.

A safe for custody of ditto, which might also be used for records.

Altar cover of red embroidered cloth. Price not to exceed Rupees 150.

Fair linen cloths and napkins. Price not to exceed Rupees 35.

Bibles and Prayer Books for the Clergyman. Price not to exceed Rs. 50. } May be bought in India.

All other charges should be met by the congregation.

It is at the same time considered desirable that when a Church is to be furnished, the Church Committee or Chaplain shall be informed of the amount sanctioned for the purpose, at the public expense, in order that the community may have the opportunity of adding, by private contributions, to the elegance or convenience of any of the articles of furniture.

ORDERED, that a copy of this Resolution be forwarded to the several Departments* of the Government of India; the several Local Governments and Administrations; the Comptroller-General; the several Accountants-General and Deputy Accountants-General in independent charge; the Right Reverend the Lord Bishop of Calcutta; and the Venerable the Archdeacon of Calcutta.

(Signed) D. BARBOUR,
Under Secretary to the Govt. of India.

No. 8.

ORDER.—Communicated to the Public Works Department and to the Right Reverend the Lord Bishop of the Diocese and the Venerable the Archdeacon of Madras.

(True Extract.)

W. HUDLESTON,
Chief Secretary.

To the Public Works Department.
,, Right Reverend the Lord Bishop.
,, Venerable the Archdeacon.
,, Accountant-General.

Govt. of {1876} Madras.

ECCLESIASTICAL.

To

THE PUBLIC WORKS DEPARTMENT,

&c.,

&c.,

&c.

Dated August, 8th.

Issued

Recd.

Encl.

G.O., 8th August 1876, No. 200.

AUGUST.
Nos. 7-8.

Churches—Furniture, &c.— Resolution of Government of India deciding that certain articles shall in future be supplied by the Public Works and Civil Departments to all Churches, except Cathedrals in the Presidency towns, communicated to the officers concerned.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

ECCLESIASTICAL DEPARTMENT.

18th November 1876. No. 287.

CHURCHES AND CEMETERIES.

No. 9. Read the following extract from the Proceedings of the Government of India in the Home Department (Ecclesiastical), dated Simla, 9th November 1876, No. 370 :—

Read Home Department Resolution, Nos. 314 to 318, dated 6th October 1875, appointing a Committee to report upon the following matters connected with ecclesiastical administration :—

- (1.) The framing of joint estimates for expenditure on cemeteries or churches by the Executive Engineer and the Clergyman in charge.
- (2.) A revision of establishments for cemeteries according to their area.
- (3.) The size of monuments and amount of ground that may be enclosed.
- (4.) Provision for planting cemeteries and preserving them in decent order.
- (5.) Mode of supply of certain articles of church furniture.
- (6.) The substitution of three for two classes of churches with respect to the expenditure allowed for them by Government.

Read the report of the Committee dated 29th October 1875.

RESOLUTION.—The report of the Committee has been considered by the Governor-General in Council, who desires to express to the Committee his satisfaction at the result of their labors.

The following rules have been approved relative to the subjects referred to the Committee for report :—

1. Churches and cemeteries have already been divided into two classes—(1), those in stations where there are military cantonments and the military works in which are under the charge of the Inspector-General of Military Works, and (2), those in other military cantonments and civil stations.

In both classes of stations joint estimates* of expenditure should be framed annually by the under-mentioned officers :—

(a.) In the case of all expenditure connected with establishments, *e.g.*, pay of servants, alterations in their pay or number, &c., also all expenditure by Government connected with the provision of articles of church furniture supplied by the Civil Department.

See Financial Department Resolution, No. 87, dated 9th January 1875.

By the Chief Magistrate of the district and by the Chaplain.

* NOTE.—The estimates should be for the financial year and should be prepared in advance, as is prescribed for other budget estimates.

(b.) In the case of all expenditure connected with repairs and additions to church fabric, to church compound or cemetery walls, to cemetery gates, walks, wells, chaulkidars or other church servants' houses, provision of necessary appliances for graves or for the repair of tombs or for the planting of trees and shrubs in cemeteries and keeping the same in decent order; also all expenditure by Government connected with the provision of articles of church furniture supplied by the Public Works Department.

By the Executive Engineer and by the Chaplain.

See Financial Department Resolutions, No. 87, dated 9th January 1876; No. 2024, dated 31st March 1876; and No. 675, dated 9th February 1876.

The estimates of expenditure to be prepared by the Executive Engineer and the Chaplain should show distinctly the probable charge under each of the following heads:—

- I.—New works connected with additions to existing churches and improvements to church compounds.
- II.—New supplies of furniture for churches and sanctioned articles of church use.
- III.—New works connected with additions to existing burial-grounds.
- IV.—Repairs to churches and church furniture and maintenance of church compounds.
- V.—Repairs to burial-grounds to be executed by Public Works Officers.
- VI.—Repairs to burial-grounds, including planting and cleaning, to be entrusted to the Chaplain or Chief Civil or Military Officer of the station or cantonment under paragraph 4.

It would be convenient if distinct estimates were prepared for each of these classes of expenditure.

The provision of funds to meet the charges above enumerated will be made in the budget estimate of the Public Works Department. The estimates for the same will be subject to the scrutiny of and be passed by the Superintending or Chief Engineer or local Government or Administration, according to the rules in force in the Public Works Department.

In stations in which the churches and burial-grounds are under the local Governments and Administrations in which the Provincial Service arrangements are in force the charges debitable to the Public Works Department will be provided for in the Provincial Public Works Budget Estimate. In other provinces and in the Military Works Branch the charge will be provided for in the Imperial Public Works Budget Estimate under Civil Buildings.

2. The following scale of establishments should be maintained at all cemeteries:—

- (I) for a cemetery of which the area is 5 acres or less, one mali-chaulkidar;
- (II) for a cemetery of which the area is more than 5 and less than 10 acres, one mali-chaulkidar and one assistant cooly;
- (III) for a cemetery of which the area is more than 10 and less than 15 acres, one mali-chaulkidar and two assistant coolies;
- (IV) for a cemetery of which the area is more than 15 acres, one mali-chaulkidar and three assistant coolies.

It is left to the local Governments and Administrations to determine the proper wages to be given to each servant. The cost of this establishment will be charged to Provincial Services in the case of those local Governments and Administrations in which the Provincial Service arrangements are in force, and in the case of other local Governments and Administrations and the Military Works Branch of the Public Works Department to Imperial Funds. In either case the charge will be included in the Civil Budget Estimate.

3. The size of kutchha and pukka graves should be limited to 8' × 4' and the amount of ground to be enclosed should be restricted to 11' × 7', by external measurement in both cases. No monument over a pukka grave must exceed 8' × 4' at the base, except with the previous sanction of the local Government concerned. A simple cross or head-stone on an adequate masonry foundation, not exceeding 3' × 2', is the only monument that should be allowed over a kutchha grave; no kutchha grave should be enclosed by a railing.

4. No portion of the receipts from cemeteries should be retained by any Government officer to be directly expended by himself; all such receipts should be paid into the Civil Treasury to the credit of the Public Works Department. In the case of receipts from cemeteries in charge of the Military Works Branch, and under those Governments and Administrations in which the Provincial Service arrangements are not in force, the credit will be treated in the Public Works accounts as a receipt under Imperial Public Works Revenue. In the case of the other Governments and Administrations the credit will be raised to Provincial Service Public Works, Revenue. But the amount passed upon the joint estimate framed by the Executive Engineer and Chaplain to provide for planting a cemetery and preserving it in decent order should be entrusted to the Chaplain where there is one. Where there is no resident Chaplain, the amount should be placed at the disposal of the Chief Magistrate on the spot, or of the Senior Military Officer if the cemetery is attached to a military cantonment. The necessary funds for the purpose will be advanced by the Executive Engineer concerned to the Chaplain or Civil or Military Officer. Bills for the expenditure should be rendered by the officer to whom the advance has been made, either monthly or otherwise, to the Executive Engineer, who will charge for the amount thereof in the usual way in his accounts. Until the bills are received and charged off, the advance will be placed in the Miscellaneous Advance Account of the Executive Engineer. All planting of shrubs and trees by private persons in cemeteries should be under the control of the Chaplain if resident, otherwise under that of the Magistrate or Senior Military Officer, as the case may be. When practicable, a well should be sunk in or near every cemetery.

In connexion with the preservation of cemeteries in decent order attention is invited to the rule cited on the margin. This rule, however, should not be applied to monuments of historical or archaeological interest. Lists of such tombs should be obtained by local Governments and Administrations, and as many of them as may be properly preserved at the public expense should be looked after by the local Public Works Department.

5. It should be understood that the Government cannot provide cemeteries at the public expense for Native Christian communities.

6. It is not considered necessary to make any alteration in the existing rules regarding the mode of supply of church furniture.

7. Further orders will be passed on the sixth point referred to the Committee for report.

8. The arrangements for making the necessary preparations for digging graves, preparing coffins, and the like should rest in military stations upon the Senior Military Officer, and in civil stations upon the Chief local Magistrate. These officers are authorized to direct any local Public Works Officer to supply all that is necessary. The "local Public Works Officer" would usually be the Executive Engineer of Military Works in military stations, and the Civil Executive Engineer in other stations. The expenditure incurred by the Executive Engineer will be held in his Miscellaneous Advance Account until repaid by the officer authorizing the expenditure. But in cases of necessity or emergency either officer may be called upon to do what is required.

No. 6-371.

ORDER.—Ordered that a copy of this Resolution be forwarded to local Governments and Administrations in substitution for Home Department Resolution, Nos. 2—93-109, dated the 14th March last; and to the Public Works Department for information.

(True Extract.)

(Signed) A. HOWELL,
Offg. Secy. to the Govt. of India.

Govt. of 1876 Madras.

ECCLESIASTICAL.

To

THE PUBLIC WORKS DEPARTMENT,

&c.,

&c.,

&c.

Dated November, 18th.

Issued.

Recd.

Encl.

G.O., 18th November 1876, No. 287.

NOVEMBER.
Nos. 9-10.

**Churches and Cemeteries. — Communicating
Resolution of the Government of India prescribing
certain rules in connexion with churches and
cemeteries.**

GOVERNMENT OF MADRAS.
EDUCATIONAL DEPARTMENT.

23rd July 1877, No. 290.

School Fees.

Read the following paper :—

No. 18. *From Colonel R. M. MACDONALD, Director of Public Instruction, to the Chief Secretary to Government, dated Madras, 9th July 1877, No. 2750.*

I have the honor, with reference to G.O., No. 197, of the 9th May 1877, to submit a draft Notification for approval and publication in the *Fort St. George Gazette*.

ENCLOSURE No. 1.

NOTIFICATION.

The Governor in Council is pleased to direct that the scale of school monthly fees prescribed for Government and Aided Colleges and Schools in the Notification of the 27th June 1871 shall be superseded on the 1st January 1878 by the following scale :—

GOVERNMENT OF MADRAS.

ECCLESIASTICAL DEPARTMENT.

27th December 1877, No. 283.

Cemeteries.

Read the following paper:—

No. 27. *Proceedings of the Government of India, Home Department, dated Fort William, 12th December 1877.*

Read the following—

NOTIFICATION—ECCLESIASTICAL.

Fort William, 12th December 1877.

No. 421.—The following Rules for the care and use of Government Cemeteries other than those in the Presidency Town of the Diocese of Calcutta, for the levy and expenditure of fees on graves and monuments in Cemeteries and Churches throughout India, and for the levy of other ecclesiastical fees are published for general information and guidance:—

I.

Rules for the Care and Use of Government Cemeteries throughout India, except those in the Presidency Town of the Diocese of Calcutta.

CHARGE OF THE CEMETERY.

RULE I.—(1.)—The Resident Chaplain of a station has charge of the general cemetery and frames an estimate of the expenditure connected therewith in accordance with the directions contained in paragraph 1, Home Department* Resolution, No. 6—370-382, dated 9th November 1876.

* Appendix A.

(2.)—The term "Resident Chaplain" includes a Clergyman of the Additional Clergy Society so far as concerns the stations to which he stands appointed or other Clergyman of Church of England placed in charge by the Bishop.

(3.)—During the temporary absence of the Chaplain, and at stations where there is no Resident Chaplain, the charge of the cemetery belongs to the Chief Magistrate on the spot, or the senior Military Officer if the cemetery is attached to a military cantonment.

(4.)—At out-stations where there is a Church Committee the charge of the cemetery will belong to the senior member of Committee, and where there is no such Committee, to any subordinate officer nominated by the Magistrate or Deputy Commissioner of the District.

RULE II.—Each cemetery is allowed a mali-chowkidar or chowkidars in accordance with the scale prescribed in paragraph 2, Home Department Resolution,† No. 6—370-382, dated 9th November 1876. These chowkidars are paid by Government through the Resident Chaplain by whom they are appointed and dismissed. In stations where there is no Resident Chaplain, the chowkidars are paid, appointed and dismissed by the other officers named in Rule I.

† Appendix A.

RULE III.—Every reasonable effort should be made by the Resident Chaplain or other officer in charge under Rule I, not only to keep the cemetery in decent order, but to preserve its character as the resting-place of the remains of departed friends by providing for the necessary repairs, and by planting the ground with suitable trees.

‡ Appendix A.

NOTE.—To meet the expenditure under this Rule, see Rule I, and paragraph 1 of Home Department Resolution,† No. 6—370-382, dated 9th November 1876.

RULE IV.—The chowkidar will keep the key of the cemetery under the direction of the officer in charge.

RULE V.—The officer who has charge of the cemetery under the operation of Rule I will perform all the duties assigned to the Chaplain by Rules VII, VIII, IX, X, and XI, with the exception of the approval of the inscriptions in that part of the cemetery reserved for the Church of England. These are to be forwarded to the visiting Chaplain, or, if there be none, to the Archdeacon, and not cut till his sanction be obtained. Should however an inscription be disapproved, it may be referred to the Government for decision.

INTERMENTS BY WHOM TO BE CONDUCTED.

RULE VI.—(1.)—The Chaplain buries Christians of all denominations whose friends desire his services as laid down in the orders of the Government of India in the Home Department,* No. 159, dated the 6th June 1877, using always the service of the Church of England, and the consecrated portion of the cemetery.

(2.)—A portion of every cemetery will be set apart by the orders of Government for the use of Roman Catholic congregations, and another portion will be appropriated for the joint use of other Christians whose friends desire that they should be interred otherwise than according to the ritual of either the Church of England or of the Church of Rome, or who cannot legally be so interred.

(3.)—These unconsecrated portions thus set apart are not to be fenced or walled off from the rest of the cemetery, but simply divided off by a pathway, and they must be added to the existing cemetery or reserved from it. If the existing cemetery be large enough for the wants of the whole Christian community, such portions will be reserved, without reference to the fact that the whole enclosure has or has not been consecrated according to the rites of the Church of England. If the cemetery be only large enough for the wants of Christians desiring to be buried with the services of the Church of England, such portions will be added. The whole cemetery thus divided is to be surrounded by a wall, to have but one gate of entrance, and to be under the care of the officer specified in Rule I.

RULE VII.—(1.)—Ministers of all denominations have a right to conduct the service of burial over the body of any deceased member of their respective congregations who may be buried in any fitting portion if the ground set apart for the denomination to which the deceased belonged. At least six hours' previous notice of the burial should be given to the Chaplain in charge of the burial-ground or, in the absence of the Chaplain, to the officer who may be in actual charge. The period herein prescribed may, for special reasons, be shortened with the permission of the Chaplain or officer in charge of the cemetery. Such Chaplain or officer will, if he thinks the circumstances of the case demand it, bring the facts to the notice of the local Magisterial authorities in time to admit of an order stopping the burial being passed if necessary.

(2.)—A certificate of burial drawn up according to the required form must be sent to the Chaplain or to the Registrar of Births, Marriages and Deaths, to be entered in the register kept up by him.

RULE VIII.—No burial can take place in that part of the Government cemetery which has been set apart for the use of members of the Church of England, unless the service prescribed by that Church is read by the Chaplain if there be one, or, in his absence, by the layman who officiates at the funeral. But a person may be interred in the other portions of a Government cemetery with or without the use of any services of religion.

ARRANGEMENTS FOR BURYING.

RULE IX.—The arrangements for making the necessary preparations for digging graves, preparing coffins and the like, should rest in military stations upon the senior military officer, and in civil stations upon the chief local Magistrate. These officers are authorized to direct any local Public Works Officer to supply all that is necessary. The local Public Works Officer would usually be the Executive Engineer of Military Works in military stations, and the Civil Executive Engineer in other stations. The expenditure incurred by the Executive Engineer will be held in his miscellaneous advance account until repaid by the officer authorizing the expenditure. But in cases of necessity or emergency, either officer may be called upon to do what is required.

RULE X.—The officer in charge of the cemetery shall keep a plan of the entire cemetery to be provided by the Public Works Department, with references written upon it, in a book, in which the names of parties interred are recorded; this plan and book being kept with the church registers.

ERECTION AND REPAIR OF MONUMENTS.

RULE XI.—Monuments may be erected by any interested person. The inscription before being cut, and the design, must be first approved of as laid down in Rule V, and the dimensions of the monument must accord with the orders in paragraph 3, Home Department Resolution,* No. 6—370-82, dated 9th November 1876.

* Appendix A.

RULE XII.—(1.)—The Chaplain should communicate with the friends of the deceased when a monument needs repairing, or, when such communication is not possible, advertize three times in the *Gazette of India* and the *Gazette of the Province*; and if it falls into a ruinous condition, and no party will undertake to restore it, the ruined monument must be made level with the ground during the next repairs, and any slab it contained must be placed over the grave in simple masonry, or be inserted in the wall.

(2.)—All work connected with monuments must, as far as possible, be carried on outside the cemetery, and any undertaker not removing the *débris* of his work immediately upon its completion is liable to a fine of Rupees 5.

NOTE.—This rule does not apply to monuments of historical or archaeological interest. Lists of such tombs should be obtained by Local Governments and Administrations, and as many of them as may be properly preserved at the public expense should be looked after by the local Public Works Department.

INSPECTION.

RULE XIII.—The cemetery should be inspected once in a half-year by the Chaplain in company with the Executive Engineer, the plan and book kept under Rule X being also examined, and a report made to the Archdeacon, and recorded in the Ecclesiastical record-book of the station, and also in the Engineer's Office.

RULE XIV.—(1.)—Commissioners of Divisions should inspect cemeteries, whether closed or in use, within their respective jurisdictions, in the course of their annual tours, and should bring to the notice of the Local Government any instances of cemeteries which are negligently kept, or which the officers in charge may have allowed to fall into a state of bad repair or disorder. All cemeteries are equally subject to the visitation and supervision of the Bishop and Archdeacon.

(2.)—Sanitary officers in cantonments are invited to inspect cemeteries within their respective cantonments, and to report to Local Governments any matter calling for notice.

MISCELLANEOUS.

RULE XV.—It is desirable that officers commanding regiments or detachments should be instructed to cause a report to be made to the nearest civil officer of graves dug for soldiers on march, that measures may be taken for their effectual protection and preservation. These graves and all scattered Christian graves throughout the district are under the care of the local civil authorities.

RULE XVI.—The above rule do not apply to Presidency Cemeteries which have rules of their own.

II.

Rules regarding the levy and expenditure of Fees on Masonry Graves and Monuments in Cemeteries and Churches throughout India.

WHAT FEES ARE PAYABLE, AND BY WHOM.

RULE I.—A fee of eight annas for every square foot of ground occupied shall be charged for the construction of any masonry grave in a burial-ground.

NOTES.—(1.) This fee is independent of the actual charge for making a grave.

(2.) The fee leviable on a masonry grave regularly built up to the level of the ground is also leviable on a masonry grave which is not built up to the level of the ground, but which is only over and round the coffin.

(3.) The "ground occupied" is to be regulated according to the rule laid down in paragraph 3 of Home Department Resolution,† No. 6—370-382, dated 9th November last.

† Appendix A.

(4.) The same fees which are levied on pukka graves should also be levied on cutcha graves which have pukka foundations.

RULE II.—A further fee of one rupee per square foot shall be levied on the erection of a monument in a burial-ground; provided, however, that for a simple headstone or flat slab not

more than three feet six inches in height or length, and two feet in width, a uniform fee of Rupees 5 only shall be charged. A fee of Rupees 75 shall be levied on a faculty for the erection of a monument in a church.

NOTES.—(1.) A tablet on the wall of a cemetery is to be regarded as a monument.

(2.) "Simple headstone." A cross no higher than a usual headstone and no longer than a usual flat stone is included in this description.

(3.) When a monument erected over a masonry grave, the total of the two fees will be equivalent to one and a half rupee for each square foot of ground occupied.

(4.) The fee of Rupees 75 levied on a faculty, drawn in the case of non-Government churches by the present incumbents of the office of Register of the Diocese in Calcutta and Bombay, shall cease on a vacancy occurring in the appointment. The money is to be spent in charity as in the case of Government churches.

RULE III.—When a cenotaph is erected in a cemetery, a fee of Rupees 50 should be levied in addition to the fee charged for the ground occupied, and the space should be strictly limited to six feet square.

RULE IV.—Fees for masonry graves and monuments should be levied over the whole cemetery, including those portions which are used by Roman Catholics and Non-conformists.

NOTES.—(1.) The same rules in regard to fees apply to all graves, whether of Roman Catholics, of Non-conformists or members of the Established Church.

(2.) Where a parcel of ground used for burial by a Christian community of any particular denomination other than the Established Church of England forms no part of the general cemetery but is separate from it, or where, although not so separate, it is clearly distinguishable and was not originally acquired, and has not been kept up at the expense of the State, then, if the community by which the ground is used so desire, the Government will give up all claim to fees, on the distinct understanding that it is divested of all responsibility for the maintenance of the cemetery in proper order. On the other hand, where such parcels of ground form part of a cemetery of the Established Church or the general Christian community, provided and maintained by the Government, no distinction can be made as to keeping up any one part of the cemetery, nor should any exemption from fees be permitted.

EXEMPTION FROM FEES IN GOVERNMENT CEMETERIES.

RULE V.—British soldiers and non-commissioned officers are exempted, with retrospective effect from the payment of any fee for the construction of masonry graves, or for the erection of monuments in burial-grounds to the memory of their comrades, wives or children. No monument, however, either regimental or private, shall exceed the dimensions prescribed in paragraph 3, Home Department Resolution, No. 6—370-82, dated 9th November 1876.

* Appendix A.

NOTES.—(1.) This rule is applicable to the British soldiers and non-commissioned officers whether in military or civil employ.

(2.) Monuments erected under this rule subscribed for partly by non-commissioned officers and men, and partly by officers, are likewise exempted from the prescribed fee.

(3.) Warrant officers are not exempted from payment of ecclesiastical fees.

RULE VI.—The Chunar pensioners being more or less under military control come under the category of soldiers, and are therefore entitled to the same exemptions as soldiers. But this ruling does not apply to other pensioners who are not similarly under military control.

RULE VII.—The Chaplain may at his discretion reduce, or altogether remit in cases of extreme poverty, the fee leviable on the construction of masonry graves, but not for the erection of monuments.

NOTE.—The Bishop on special occasions may sanction a reduction or remission of fees for the erection of monuments.

FEES BY WHOM TO BE COLLECTED.

RULE VIII.—In those stations in which a mason has been appointed, who alone is allowed to work within the cemetery, he is required, in exchange for the monopoly, to collect the fees on monuments and masonry graves, and pay them to the Chaplain: and any person ordering the construction of a masonry grave or monument by a mason or undertaker other than the person appointed by the Chaplain must pay the fees in advance.

NOTE.—Fees on masonry graves and monuments constructed by the appointed mason or undertaker need not be paid in advance, but in case of failure of payment, their recovery must be entrusted by the Chaplain to the Magistrate or Deputy Commissioner as the case may be.

FEES TO WHOM TO BE PAID.

RULE IX.—The fees prescribed in Rules 1, 2 and 3 should be paid to the Chaplain or, in the absence of the Chaplain, to the officer in charge of the burial-ground and remitted at once to the Civil treasury, except fees for monuments in churches which should be paid over by the Chaplain to the charitable objects to which the Bishop assigns them when his faculty is issued.

CEMETERY RECEIPTS AND CHARGES.

RULE X.—All cemetery receipts and charges to be regulated as laid down in paragraph 4 of Home Department Resolution,* No. 6—370-382, dated the 9th November 1876.

* Appendix A.

MISCELLANEOUS.

RULE XI.—(1.)—A person may not purchase a portion of a Government cemetery as a burial-place for himself and his family, so as to have a right to fence it with a rail or fence, and thus make it the private property of himself and family. But when such rights already exist, they are not without reason to be interfered with, and special cases as they arise may require exceptional treatment. And in such cases the Archdeacon may exercise his discretion with the sanction of the Local Government.

(2.)—All private rights must, however, cease if for sanitary or other public reasons the cemetery is closed against burials, or even that portion of it in which the private ground is situated, but in special cases the Archdeacon may exercise his discretion of giving permission to open a vault or masonry grave.

(3.)—No kutchra grave can be opened in any cemetery for the purpose of converting it into a masonry grave without application to the Archdeacon which must be accompanied by a certificate from the Principal Medical Officer that this may be done without risk to public health.

RULE XII.—(1.)—When a piece of ground is granted by Government as a cemetery to a Railway Company for the interment of its own servants, which afterwards keeps it in repair and provides the necessary establishment, so that beyond the original grant of ground Government is at no expense, the collection and application of fees accruing is left to the decision of the Railway Company which maintains the cemetery in good order and repair.

(2.)—The Commissioner or District or Judicial Officer, and in military stations the Officer Commanding should inspect such cemeteries and report to Government if they find them negligently kept.

III.

Other Ecclesiastical Fees.

RULE I.—No fees are charged for the performance of the rite of baptism or burial, or for the registration of the performance of these offices.

RULE II.—In addition to the fee for the Surrogate's license, a fee of Rupees 10 shall be charged on all marriages by license, except the marriages of officers and others in the Military or Naval Service of Her Majesty.

RULE III.—The fee for a Surrogate's license shall be Rupees 50 both at the Presidency towns and in the interior. No fee shall be charged on marriages by banns.

RULE IV.—When registers are searched and a copy of any entry given, a fee of one rupee shall be charged for the first year,† and four annas for every additional year over which the search may extend, as well as a fee of one

† The first year shall be taken to mean any one year indicated by the applicant.

rupee for the certificate. Soldiers, sailors and non-commissioned and petty officers are exempted from payment.

NOTE.—The amount of fees payable for marriages performed and for searching registers kept in accordance with the provisions of Act XV of 1872 (The Indian Christian Marriage Act) is fixed by each Local Government.

J. O'KINEALY,
Offy. Secy. to the Govt. of India.

APPENDIX A.

EXTRACT from the Proceedings of the Government of India in the Home Department (Ecclesiastical), Nos. 6—370-382, dated Simla, the 9th November 1876.

READ Home Department Resolution, Nos. 314 to 318, dated 6th October 1875, appointing a Committee to report upon the following matters connected with ecclesiastical administration:—

- (1) The framing of joint estimates for expenditure on cemeteries or churches by the Executive Engineer and the Clergyman in charge.
- (2) A revision of establishments for cemeteries according to their area.
- (3) The size of monuments and amount of ground that may be enclosed.

- (4) Provision for planting cemeteries and preserving them in decent order.
- (5) Mode of supply of certain articles of church furniture.
- (6) The substitution of three for two classes of churches with respect to the expenditure allowed for them by Government.

Read the Report of the Committee, dated 29th October 1875.

RESOLUTION.

The Report of the Committee has been considered by the Governor-General in Council, who desires to express to the Committee his satisfaction at the result of their labors.

The following rules have been approved relative to the subjects referred to the Committee for report:—

1. Churches and cemeteries have already been divided into two classes: (1) those in stations where there are military cantonments and the military works in which are under the charge of the Inspector-General of Military Works, and (2) those in other military cantonments and civil stations.

In both classes of stations joint estimates* of expenditure should be framed annually by the under-mentioned officers:—

(a) In the case of all expenditure connected with establishments, *e.g.*, pay of servants, alterations in their pay or number, &c., also all expenditure by Government connected with the provision of articles of church furniture supplied by the Civil Department. By the Chief Magistrate of the District and by the Chaplain.

(b) In the case of all expenditure connected with repairs and additions to church fabric, to church compound or cemetery walls, to cemetery gates, walks, wells, chowkidars or other church servants' houses, provision of necessary appliances for graves or for the repair of tombs or for the planting of trees and shrubs in cemeteries and keeping the same in decent order; also all expenditure by Government connected with the provision of articles of church furniture supplied by the Public Works Department. By the Executive Engineer and by the Chaplain.

The estimates of expenditure to be prepared by the Executive Engineer and the Chaplain should show distinctly the probable charge under each of the following heads:—

- I.—New works connected with additions to existing churches and improvements to church compounds.
- II.—New supplies of furniture for churches and sanctioned articles of church use.
- III.—New works connected with additions to existing burial-grounds.
- IV.—Repairs to churches and church furniture and maintenance of church compounds.
- V.—Repairs to burial-grounds to be executed by Public Works Officers.
- VI.—Repairs to burial-grounds, including planting and cleaning, to be entrusted to the Chaplain or Chief Civil or Military Officer of the Station or Cantonment under paragraph 4.

It would be convenient if distinct estimates were prepared for each of these classes of expenditure.

The provision of funds to meet the charges above enumerated will be made in the Budget Estimate for the Public Works Department. The estimates for the same will be subject to the scrutiny of and be passed by the Superintending or Chief Engineer or Local Government or Administration, according to the rules in force in the Public Works Department.

In stations in which the churches and burial-grounds are under the Local Governments and Administrations in which the Provincial Service arrangements are in force, the charges debitable to the Public Works Department will be provided for in the Provincial Public Works Budget Estimate. In other Provinces and in the Military Works Branch the charge will be provided for in the Imperial Public Works Budget Estimate under Civil Buildings.

2. The following scale of establishments should be maintained at all cemeteries:—

- (i) for a cemetery of which the area is five acres or less, one mali-chowkidar;
- (ii) for a cemetery of which the area is more than five and less than ten acres, one mali-chowkidar and one assistant coolie;
- (iii) for a cemetery of which the area is more than ten and less than fifteen acres, one mali-chowkidar and two assistant coolies;

* NOTE.—The estimates should be for the financial year and should be prepared in advance, as is prescribed for other Budget Estimates.

(iv) for a cemetery of which the area is more than fifteen acres, one mali-chowkidar and three assistant coolies.

It is left to the Local Governments and Administrations to determine the proper wages to be given to each servant. The cost of this establishment will be charged to Provincial Services in the case of those Local Governments and Administrations in which the Provincial Service arrangements are in force, and in the case of other Local Governments and Administrations and the Military Works Branch of the Public Works Department to Imperial Funds. In either case the charge will be included in the Civil Budget Estimate.

3. The size of kutchha and pukka graves should be limited to 8ft. by 4ft., and the amount of ground to be enclosed should be restricted to 11ft. by 7ft., by external measurement in both cases. No monument over a pukka grave must exceed 8ft. by 4ft. at the base, except with the previous sanction of the Local Government concerned. A simple cross or headstone on an adequate masonry foundation, not exceeding 3ft. by 2ft. is the only monument that should be allowed over a kutchha grave; no kutchha grave should be enclosed by a railing.

4. No portion of the receipts from cemeteries should be retained by any Government officer to be directly expended by himself; all such receipts should be paid into the Civil Treasury to the credit of the Public Works Department. In the case of receipts from cemeteries in charge of the Military Works Branch and under those Governments and Administrations in which the Provincial Service arrangements are not in force, the credit will be treated in the Public Works Accounts as a receipt under Imperial Public Works Revenue. In the case of other Governments and Administrations the credit will be raised to Provincial Service Public Works Revenue. But the amount passed upon the joint estimate framed by the Executive Engineer and Chaplain to provide for planting a cemetery and preserving it in decent order should be entrusted to the Chaplain where there is one. Where there is no resident Chaplain, the amount should be placed at the disposal of the Chief Magistrate on the spot, or of the senior Military Officer if the cemetery is attached to military cantonment. The necessary funds for the purpose will be advanced by the Executive Engineer concerned to the Chaplain or Civil or Military Officer. Bills for the expenditure should be rendered by the officer to whom the advance has been made, either monthly or otherwise, to the Executive Engineer, who will charge for the amount thereof in the usual way in his accounts. Until the bills are received and charged off, the advance will be placed in the Miscellaneous Advance Account of the Executive Engineer. All planting of shrubs and trees by private persons in cemeteries should be under the control of the Chaplain if resident, otherwise under that of the Magistrate or senior Military Officer, as the case may be. When practicable a well should be sunk in or near every cemetery.

In connection with the preservation of cemeteries in decent order attention is invited to the rule cited on the margin. This rule, however,

The Chaplain should communicate with the friends of the deceased when a monument needs repairing; and if it falls into a ruinous condition, and no party will undertake to restore it, the ruined monument must be made level with the ground during the next repairs, and any slab it contained must be placed over the grave in simple masonry or be inserted in the wall by the Government officer.—Rule VIII, *Diocese of Calcutta Burial-ground Rules.*

should not be applied to monuments of historical or archaeological interests. Lists of such tombs should be obtained by Local Governments and Administrations, and as many of them as may be properly preserved at the public expense should be looked after by the local Public Works Department.

5. It should be understood that the Government cannot provide cemeteries at the public expense for Native Christian communities.

NOTE.—Where their number is small, the question is of little importance and is best arranged by mutual concessions or by special provisions made locally by the parties immediately concerned. And I am to suggest for His Lordship's (Bishop's) consideration, whether if the necessity of dealing at the present time with this matter of Native Christian interment be in his judgment unavoidably established, it should not be carefully examined in consultation with the several Local Governments, having regard to the diverse needs and circumstances of the population in each separate province.

6. It is not considered necessary to make any alteration in the existing rules regarding the mode of supply of church furniture.

7. Further orders will be passed on the sixth point referred to the Committee for report.

8. The arrangements for making the necessary preparations for digging graves, preparing coffins and the like, should rest in military stations upon the senior Military Officers, and civil stations upon the chief local Magistrate. These officers are authorized to direct any local Public Works Officer to supply all that is necessary. The "Local Public Works Officer" would usually be the Executive Engineer of Military Works in military stations, and the Civil Executive Engineer in other stations. The expenditure incurred by the Executive Engineer will be held in his Miscellaneous Advance Account until repaid by the officer authorizing the expenditure. But in cases of necessity or emergency either officer may be called upon to do what is required.

NOTE.—The intention of this paragraph is to provide an ultimate authority in case of difficulty, and existing arrangements need not be disturbed.

APPENDIX B.

Extract from the Proceedings of the Government of India in the Home Department (Ecclesiastical), No. 159, dated Simla, the 6th June 1877.

Read again—

Home Department Resolution, Nos. 275—287, dated the 8th September 1875, laying down certain rules for the guidance of Chaplains of the Church of England in regard to burial of suicides, &c.

Read also—

Office Memorandum from the Military Department, No. 810, dated the 16th November 1875, forwarding for an expression of opinion a draft General Order which His Excellency the Commander-in-Chief proposes to issue on the subject in accordance with the above rules.

RESOLUTION.

On a reconsideration of the subject, the Government of India think it necessary to modify the rules contained in the Resolution of 8th September 1875, so far as regards the burial of deceased Roman Catholics. The Government of India have now decided:

1st, that at stations where there is a Roman Catholic Priest drawing an allowance from Government, he shall be held bound to read the burial service over the body of every deceased Roman Catholic brought for burial, unless he be excused from doing so by the rubrics and canon of the Roman Catholic Church: and that when the Roman Catholic Priest refuses to read the burial service over the body of a deceased Roman Catholic soldier, the military authorities shall make proper arrangements for the decent interment of the corpse;

2ndly, that where there is no Roman Catholic Priest paid by the State, the Protestant Chaplain shall, if requested by the friends of the deceased, or by the Officer Commanding, be bound to bury the deceased according to the rites and ritual of the Church of England, except in either of the three cases in which Protestant Chaplains in India are excused from burying a deceased Protestant, viz., dying unbaptized even by lay baptism; excommunicated by the major excommunication; or declared to be *felo de se*; and that when a Protestant Chaplain refuses to officiate at the burial of a deceased Roman Catholic soldier on either of the three above-mentioned grounds, the military authorities shall, as in the case of refusal by a Roman Catholic Priest, make proper arrangements for the decent interment of the corpse;

3rdly, that whenever, with or without furnishing any explanation of his reasons, a Roman Catholic Priest paid by the State or a Protestant Chaplain refuses to perform the funeral rites of his Church over the body of a deceased Roman Catholic soldier, the circumstances of the case should be fully reported by the military authorities for the consideration and orders of the Government of India.

2. The Governor-General in Council is accordingly pleased to direct the modification in the above sense of the provisions of paragraphs 15 to 19 inclusive of the Resolution, dated 8th September 1875.

No. 4—422.

Copy to Local Governments and Administrations, Financial Department, Military Department, Public Works Department, Bishop's Chaplain, Archdeacon, and Senior Chaplain of the Church of Scotland.

(Signed) F. C. DAUKES,
Under Secy. to the Govt. of India.

To the Government of Madras.

No. 28. ORDER THEREON, 27th December 1877, No. 286.

Communicated to the Venerable the Archdeacon of Madras, to the Public Works Department, to all District Magistrates, to the Right Rev. Dr. Fennelly, and to the Senior Chaplain of the Church of Scotland.

(True Extract.)

D. F. CARMICHAEL,
Chief Secretary.

To the Venerable the Archdeacon.
„ the Public Works Department.
„ all District Magistrates.
„ the Right Rev. Dr. S. Fennelly.
„ the Senior Chaplain, Church of Scotland.
„ the Military Department, for information.

Exd. J. Wright.

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„ the Military Department, for information.

Exd. J. Wright.

GOVERNMENT OF MADRAS.
EDUCATIONAL DEPARTMENT.

20th May 1878, No. 183.

European and Eurasian Children.

Read the following paper:—

No. 25. *Proceedings of the Board of Revenue, dated 29th March 1878, No. 861 (received 6th May).*

Read the following letters:—

From R. DAVIDSON, Esq., Acting Collector of Ganjam, to the Acting Secretary to the Board of Revenue, dated Nowpadah, 1st December 1875, No. 2742.

AGREEABLY to paragraphs 8 and 9 of G.O., dated 26th July last, No. 236, Educational Department, I have the honor to report on the condition and educational requirements of the European and Eurasian population of this district.

2. The following statement shows the number of Europeans and Eurasians in the Municipalities:—

Municipalities.	Number of Population.						Children of a School-going Age.			Children under Instruction.			Children who are not under Instruction.			Children too young to go to School.		
	Europeans.		Eurasians.		Total.		Europeans.	Eurasians.	Total.	Europeans.	Eurasians.	Total.	Europeans.	Eurasians.	Total.	Europeans.	Eurasians.	Total.
Berhampore ..	M.	F.	M.	F.	M.	F.	13	26	39	1	4	5	12	22	34	..	..	..
Chicacole ..	3	2	6	14	9	16	..	..	16	..	..	16	..	..	..	..	..	4

3. As to the condition of the population, the Principal Assistant Collector reports that they are in good circumstances, and are not therefore objects of public charity and aid, while the Senior Assistant remarks that some of the Eurasians at Berhampore "earn a precarious existence," that "instruction should be made available for all Eurasian children at the Zillah School, and that the European children are usually sent to Europe."

4. The Principal Assistant Collector states that of the sixteen children who are receiving education at Chicacole, twelve are under private tuition and four are attending the Government Anglo-Vernacular School.

5. From the foregoing it would appear that there is a pressing necessity for providing education to certain of the Eurasians at Berhampore, as poverty is the only reason assigned for their not receiving any education at present.

6. As regards the rural part of the district, I annex a statement showing the number, condition, &c., of the population in question :—

Stations.	Number.						Number of Children under Instruction.		Number of Children not under Instruction.		Remarks.
	Europeans.		Eurasians.		Total.		Europeans.	Eurasians.	Europeans.	Eurasians.	
Gopaulpore	M. 4	F. 3	M. 7	F. 6	M. 11	F. 9	2	8	..	*5	* Four are too young to receive instruction.
Chetterpore	4	2	12	9	16	11	..	6	4	17	In easy circumstances.
Ganjam	1	1	3	1	4	2	..	2	1	3	Do.
Itchapore .. ..	..	..	1	..	1	..	..	..	..	..	Do.
Aska	1	..	6	5	..	..	..	7	..	+2	+ Under age.
Russelkondah	3	1	9	11	12	12	..	20	+2	+1	+ Too young.
Calingapatam and Parla Kimeddy .. ..	..	..	..	..	..	21	2	..	2	..	§ In easy circumstances.

7. In the early part of 1874 the European and Eurasian residents of Russelkondah formed themselves into a Committee and established a school for the education of their children and obtained the services of one Miss O'Shaughnessy as Schoolmistress. It is maintained by a monthly fee of Rupees 2 for each child, which goes towards the salary of the Mistress. But as this system did not secure to the mistress a fixed salary which fluctuated according to the number of children attending the school, and as the fee of Rupees 2 for each child was found to fall heavily on the parents of large families, the Committee have applied to the Inspector of Schools for a grant from Government, and I understand the matter is now before the Director of Public Instruction.

8. Since the receipt of the Government Order under reply, my Special Assistant has forwarded a petition from the Committee, which I enclose, requesting the aid of Government for procuring the services of a more qualified teacher, as the instruction which Miss O'Shaughnessy is able to impart is of an elementary character.

9. The youths of the Eurasian community at Chetterpore are sadly in want of sound education. I have reason to believe that the Onslow Institution has of late been in a state of retrogression owing partly to the inefficient staff of teachers entertained by the Trustee and to the dissatisfaction which the late Head Master gave until he was removed for misconduct. The result of this state of things is that the Eurasian children, for whom the institution was chiefly intended, enter the world with hardly anything worthy of the name of education, and are consequently far from being the useful members of society which under more auspicious circumstances they might be.

10. The small number of children who stand in need of support from Government in each of the above-mentioned stations does not, in my opinion, point to the necessity or expediency of establishing separate schools for them of the requisite standard, and which would entail no inconsiderable expense on Government.

11. I understand that the Rev. W. B. Ottley, the present Trustee, will retire from Government Service very shortly. I think it would be very desirable that his connection with the Onslow Institution should then cease, and that a mixed Committee should be appointed to manage its affairs. If this were done, and Government were to supplement the School Funds by a liberal annual grant, I see no reason why the institution should not recover itself and become one of the best schools in the Northern Division.

12. I annex a statement of the existing approximate receipts and disbursements connected with the institution and of the assistance which I would recommend it should receive from Government.

Receipts, Rupees 170 per mensem, viz. :—

Rs. 100	Rent of Onslow Court (after deducting 25 per cent. for wear and tear).
" 44	Government Grant.
" 30	School-fees.
<hr/>	
" 174	Say Rupees 170 in round numbers.

Disbursements :—

Present salary of Head Master	..	..	..	..	..	..	..	Rs. 50
Do. of Second do.	..	..	..	..	..	..	..	25
Do. of Third do.	..	..	..	..	..	..	..	21
Do. of Fourth do.	..	..	..	..	..	..	..	10
Do. of Peon	..	..	..	..	..	..	..	6
Do. of Sweepers, &c.	..	..	..	..	..	..	..	5
<hr/>								
Total								117

of which Government pays at present Rupees 44-8-0.

The Head Master should be a European with a salary of not less than.	Rs. 150
Second do.	50
Third do.	25
Fourth do.	20
<hr/>	
Total	245

The present masters all draw Government grants aggregating Rupees 44-8-0, so that, if half of the proposed Head Master's salary of Rupees 150 were paid by Government, the total cost to Government would then be Rupees 44-8-0 + 75 = Rupees 119-8-0 per mensem.

It does not appear that any cost need devolve on Government on account of this branch of education, except through the Grant-in-aid Rules, and to the extent above mentioned.

ENCLOSURE No. 1.

From the Committee of Management of the European and Eurasian School, Russelkondah, to Major J. M. SMITH, Special Assistant Agent, Russelkondah, dated 1st September 1875.

With reference to Proceedings of the Madras Government, Educational Department, of 26th July 1875, circulated for our information, calling for any remarks or suggestions we may wish to make on paragraph 9 of the order—

We, the undersigned, beg to reply to the following points :—

1st—*As regards the Number of Children.*—There are at present in this station twenty-four European and Eurasian children, all of whom are Protestants; of this number, the boys preponderate, who count fourteen, and girls ten; their ages are from 13 years and under, all of whom are capable of attending school excepting four or five children, who will in a short time be old enough to do so.

2nd—*Condition and Educational Requirements.*—The parents of the children are moderately well-to-do, and are able to pay a moderate fee for schooling should Government be pleased to establish a school in this station.

As you are aware, a private school was got up by us in the early part of 1874, as our children were growing up without any education. It is kept up by a monthly fee of Rupees 2 for each child, which goes towards the salary of the Mistress; and, were it not for the kind and ready aid we received from you in the way of school necessities, as books, &c., we should have had to struggle hard to keep it up, and might have ere this had to close it.

2. Now as Government has taken an interest in the education of the children of European and Eurasian inhabitants, for which we feel inexpressibly thankful, and as the private school above alluded to is a poor one as regards education, which is of a very elementary nature, and where no religious instruction of any kind is provided from the fact of the Mistress being a Roman Catholic, we beg most respectfully to suggest that the best mode of improving the condition of our children as far as educational requirements go, is that Government be pleased to sanction a liberal grant-in-aid, and that, with the fees that may be collected, say at Rupees 2 per each child a-month, we may be enabled by this help to obtain a certificated or trained teacher who would give our children a more sound education than they are at present receiving. The standard of education, in our opinion, should at least be the Uncovenanted Civil Service Test for boys, and a Teacher's Test for girls.

3. The approximate estimate of the cost might be put down in all to Rupees 60 monthly, which includes house-rent for school-building and other contingencies.

4. There is no doubt much may be done if only Government give us the means to work upon, which will in the end bring forth its own fruit, from the industry of the children, aided by an educated and painstaking teacher.

(Signed) J. HARDAKER,
and three others.

From H. St. A. GOODRICH, Esq., Acting Collector of Vizagapatam, to the Chief Secretary to Government, dated 10th December 1875, No. 2187.

In answer to the reference contained in G.O., dated 26th July last, No. 236, I have the honor to report as follows.

2. The European and Eurasian population of the Vizagapatam District is recorded in the Census Tables as	1,190
Thereof the Taluq of Vizagapatam contains	831
Do. do. Vizianagram do.	167
Do. do. Bimlipatam do.	140
Scattered over eight other taluqs	52

The Census Returns show that five-sixths of the population returned themselves as Europeans. In reality only about one-sixth of the number could claim to be so described accurately. Many of the Eurasians are in responsible and lucrative situations, to which their energy and ability have raised them. The population in question is at present slightly declining. The Veteran Company at Vizagapatam no longer receives additions to its ranks and has fallen from about — to —. (*sic*.)

In a few years the Company will cease to exist. The trade of the coast steadily increases and therewith the population of merchants, and owing to the aggregation of property in a few hands there are several noblemen in the district who require, and can afford to pay for, the services of Europeans, which they occasionally require. Of the 1,190 Europeans and East Indians, about 90 are Civil and Military employés of Government of the superior grades and merchants or professional men of substance.

3. The existing means of education for the class in question, which would number (at 18 per cent. on 1,100) about 200 of ages between eight and eighteen, are under the management of the Christian Ministers of various denominations who reside at Vizagapatam.

At Bimlipatam there is a preparatory school, which thirteen (or nearly all the children of suitable age) attend; and when old enough they proceed to the more efficient schools at Vizagapatam.

At Vizianagram there are good schools, but the few European and Eurasian children are sent over to Vizagapatam schools.

4. The institutions in Vizagapatam for boys are four in number, for girls three. For boys the Waltair Protestant Orphan Asylum, the London Mission school, the Anglo-Vernacular School, St. Aloysius' School, and the Army School. For girls the Protestant Orphan Asylum, St. Aloysius', and the Convent Schools, and the Army School.

Over 300 children are educated in these schools; many from Ganjam and Godavery and Kistna and even from Cuttack being attracted to our schools.

5. Practically the London Mission School has ceased to attract the Eurasians; only 3 of 289 on the rolls are of this class; the Anglo-Vernacular School has 4 out of about 150.

6. I must now briefly describe the two institutions wherein all but the limited class which attend the Army School are educated.

7. The richly-endowed Protestant Orphan Asylum, enjoying an income of about 1,460 Rupees in subscriptions from Zemindars, 700 Rupees in subscriptions mostly from local officials, and 2,800 Rupees from Government besides sundry receipts (700 Rupees), possesses buildings, &c., worth probably 10,000 Rupees, and 3,000 Rupees balance in the Secretary's hands. For its expenditure of 5,600 Rupees annually thirty orphans are now boarded and lodged and ought to be taught, the cost on account of each child being not less than $15\frac{1}{2}$ Rupees monthly. [The cost of the elaborate education given in the Martiniere at Calcutta appears to have been about $27\frac{1}{2}$ Rupees per head according to the latest reports (some ten years old) which I have seen.]

8. The school known as St. Aloysius', containing 245 European and Eurasian and 35 Native pupils, enjoys an income of about 544 Rupees from subscriptions from Zemindars, 3,624 Rupees from local subscriptions (whereof half is derived from the Catholic Clergy teachers and Mission staff). Ninety of the boys and girls are European and Eurasian orphans whose maintenance and education seems to be managed for $5\frac{1}{4}$ Rupees per head monthly.

The Government grant to the Catholic Orphanages is Rupees 125 per mensem, to the Protestant Orphanage about 220 Rupees per mensem.

9. The subscriptions to the two institutions amount to about 5,600 Rupees per annum distributed as follows:—

—	Protestant Orphanage.	Catholic Orphanage.	Total.
	RS.	RS.	RS.
Zemindars	1,460	544	2,004
Private Persons ...	700	3,624	4,324
Government	2,800	1,500	4,300
Miscellaneous	700	...	...
Total	5,600	5,664	...

The Catholic Institution it will be seen for the same money educates, feeds, and clothes three times the number of orphans that are cared for in the Protestant Asylum, and educates 100 paying pupils in addition.

10. To the quality of the education given in the Catholic Institution, the memorandum of results attained during the past ten years, Appendix A, will speak. I have during the present and past years, when giving away the prizes, noticed the intelligent bearing of the boys, and one of their number now studying medicine at the Civil Dispensary is spoken of by the Civil Surgeon as exhibiting all the best points of careful and thorough training.

11. The report of the Inspector of Schools for 1873 on the Protestant Orphan Asylum is very unfavorable, and, were the school to be now inspected, I doubt not that a still less satisfactory account would be given. The Committee have during

the past year failed to procure a Master or Mistress whom they could trust, nor has the Secretary as yet heard of any one possessing the desired qualifications and willing to serve for the salary given.

12. I submit the last report of the Protestant Orphanage, and the last which contains any remarks from the Educational Department's Inspecting Officer. The class, to provide for whose wants the institution was founded, the Veterans, are fast dying out, and the institution declines with their failing numbers. The general public correctly appreciate the side of the question with which they are concerned; they subscribe five times as much to the Catholic Institution, and six times as many boys are there educated. Of the generous contribution of the Zemindars, about 2,000 Rupees, and of the subsidy of Government, about 4,300, two-thirds are paid on the Protestant Asylum's account. This proportion is a survival from a time when the Protestant Asylum was wanted and was efficient. The decay of the Asylum is due not only to the sectarian limitation of its benefits, but to the observed efficiency of the Catholic teaching staff, and the comparison which could not fail to be drawn.

13. The contrast between the teaching staff is very striking, and brings out the great service which the religious class of the Catholic community are able to perform. The Managers of the Orphan Asylum are quite unable to provide any teacher who has himself had the benefit of a high order of education. Father Richard writes to me: "As the Reverend M. Girard, who has been a Professor at Home in the College of Milan, told me he would teach a class, we could prepare young men for the B.A. test. We have a student who is a candidate for the F.A. Examination, and another has passed the test for the Roorkee Upper Department, which is equal to the F.A. test." After many attempts to obtain a woman of decent behaviour, and some power of teaching simple subjects to girls in the Protestant Orphanage, I cannot avoid the desire that they should share the teaching which I have seen produce such excellent effects in the Convent Schools here and under the ladies of the Sisterhood at Vizianagram.

14. The tenor of my remarks will have shown that I believe the Protestant Orphan Asylum to be an institution which is wasting good money on the production of a bad article, whilst hardly a less proportionate expenditure on the same end is attaining its object.

15. The difficulties in the way of a more satisfactory distribution of the assistance granted from public funds to the two institutions do not seem to me insurmountable.

The first object I would endeavour to attain would be the concession to our Protestant Asylum boys of the privilege of attending the lectures of the tutors at the Catholic School in the higher classes which would prepare for the Matriculation Examination, the Entrance Examination at the Civil Engineering and Medical Colleges, and the Special Test; to such boys as might prove fit for entrance into these classes scholarships might be granted. At the age of fifteen all those boys who had not shown special aptitude for book-work should be employed in the industrial school which I would constitute. Whether it would be possible to direct such a school at slight cost, I am not sufficiently informed to say, but I feel sure that many here who are leading vagabond lives, and scarcely know that their hands have any other use than to steal withal, might now be in useful employ at Aska or Chittivaleah, if not at Cuttack or Dowlaishweram.

16. The Government grant should, I think, be limited to the amount needed to maintain the Orphanage with as many boys as might demand admittance. We find the number now to be about fifteen. In the Asylum I would provide none but primary teaching. For such orphans as might at St. Aloysius' Schools be given similar accommodation and advantages, a similar grant per head might be given. The contributions of Zemindars were given at the suggestion of my predecessors, and, if well advised, they would bestow them in the way best calculated to benefit their country by improving its service.

Besides those of the higher classes who find places in the Public Works Department and Medical Department, many of the best boys will find places in Public Offices, in the Police, the Salt, or the Forest Service.

The scholars at St. Aloysius' have now a good band; the instruments were only procured during the past year at my suggestion and through the munificence of Mr. Nursing Rau.

17. The religious difficulty need not be felt as regards the primary classes of boys as well as they would be educated in their present buildings, and all might receive such religious instruction as the Chaplain would give. If the girls were sent to the Convent School, and a grant made to the Sisterhood for their maintenance, they would be as well provided for as the circumstances of the case allow. Girls whose relations objected to this course, who would I think be few, the Bangalore or Madras institutions might receive.

The present compound and buildings would, if my plans or plans similar to them be adopted, afford accommodation to the Industrial School. The area of the garden, &c., is about six acres.

18. The great majority of the Committee of the Protestant Orphan Asylum are officials whose residence may be but for a short time; the arrangements which I think desirable could not be entered into without full discussion (with power to make terms) held between the Committee and the Managers of the Roman Catholic establishment.

19. To recapitulate, Vizagapatam has more than provided for her own children and receives many of the children (European and Eurasian) in the other districts of the Northern Circars.

One of her institutions is inefficient as a school, though it still saves some few orphan children from want temporarily.

She has a powerful engine of education in the Catholic clergy, who from wellknown causes afford services gratuitously, which it would require a very large sum to procure from Protestant teachers.

She needs an Industrial School, for it is most unlikely that the class of mind best suited to acquire knowledge of and through books will be found to be that prevailing universally.

If the services of the Catholic teaching staff can be secured, an education well suited to the wants of the class whose wants are now under discussion will be provided.

20. Government may probably desire to consider the subject as a whole before taking any action that may pledge them for the future. I solicit, however, on behalf of the Catholic establishment, that the memoranda and letter of Father Richard herein enclosed may be favorably considered. The grant now made to the institutions under his care is not proportioned to the public service those institutions render, and I recommend that, pending a settlement of the question, a grant-in-aid of Rupees 300 per mensem may be made in lieu of 125 Rupees now given.

21. In conclusion, the printed memorial and the memorandum appended of the results attained in the Catholic Orphanages (which from Appendix A), the reports for 1872-73 and 1874-75 of the Protestant Orphanages (B and C), and a memorandum drawn up from reports and records (D), five papers (Appendix E) contributed by gentlemen who attended a meeting held in my Cutcherry for the discussion of the question, will, I believe, furnish such materials for the consideration of the question as I have at command.

(True Copy.)

(Signed) R. M. MACDONALD, Colonel,
Director of Public Instruction.

2. CARE OF EUROPEAN AND EURASIAN DESTITUTE CHILDREN.—From the accompanying statement, which has been prepared for the purposes of this report, the Board will observe that the total European and Eurasian population of this district amounts to 140 and 258 persons, respectively; that by far the greater portion of them are residents of the town of Mangalore; that there are no destitute families among the Europeans; and that their number among the Eurasians is not more than three or four.

3. The number of children who are objects of public charity is thus limited, and they are only to be found in the town of Mangalore and a few in the orphanages of the Basel Evangelical Mission at Udipi and Mulki.

4. At present there are two Eurasian boys and two girls taken care of by the Basel Mission at Udipi and Mulki, respectively.

5. At Mangalore a small orphanage for girls and very young boys is maintained by the Roman-Catholic Mission under the care of the sisters of St. Joseph,

* Two of these are from Malabar.

in which three European* and four Eurasian children of their persuasion are now brought up.

6. Besides these a considerable number of native orphans and destitute children are supported and educated in the above institutions, specially in those of the Basel Mission.

7. I do not think that there is any necessity for establishing a new orphanage for European and Eurasian children in this district. The existing institutions are capable of fully meeting the limited local wants of their respective denominations, and can be placed on a more satisfactory footing if the Government will supplement to some extent the funds now available. At present none of these institutions is in receipt of any Government aid, their expenses being entirely borne by the missions concerned. The usual Government grant is, however, allowed to the schools. If Government would give a grant equal to half the cost of maintaining such orphans in this district (or, say, Rupees 4 per mensem as at Madras) the aid would be most opportune. It should, however, I think, be given on the understanding that the orphan boys should be taught some industrial trade.

8. EDUCATION OF EUROPEAN AND EURASIAN CHILDREN IN MUNICIPAL TOWNS.—The enclosed statement, Part I, shows the number, condition, &c., of Europeans and Eurasians in the town of Mangalore, which is the only Municipality in this district.

9. EUROPEANS.—The Europeans in Mangalore, including women and children, number 128 persons, among whom fifty-seven are adult males. Of these, nine are Covenanted and Uncovenanted Civil Servants, fourteen Military and Police Officers, nineteen Missionaries, two Merchants, five mercantile *employés*, one Barrister, two Artists, one Artisan, three Students, and one unemployed, but not poor.

10. The number of children under instruction is nine girls in the Roman-Catholic Convent School, three boys in the Rozario Church School, and two under private tuition. Some of the girls, who are under the care of the Sisters of St. Joseph, do not belong to this district, but have come from Malabar, which forms part of this mission. The small number of boys under instruction is not attributable to any want of means to educate them in the local schools, as there are no European children that I am aware of not attending the school on the score of poverty.

11. EURASIANS.—The total Eurasian population of Mangalore is 222, forming sixty families, the adult male members of which number sixty-two, viz., sixteen Uncovenanted Civil Servants, thirteen Drummers, five Pensioners, four Traders, seven Mercantile *employés*, five Students, one Priest, four Artisans, three earning their livelihood by miscellaneous work, two unemployed, but not poor, and two depending for their support on public charity. There is also another poor family having no adult male member to support them.

12. Assuming the proportion of children of school-going age to the total population to be 15 per cent., the number of such children in the town would be thirty-four, whereas the number actually attending the several schools in Mangalore is fifty-six. This excess is chiefly owing to some of the scholars having come to Mangalore for education from other parts of the country.

13. Nearly all the children of a school-going age belonging to the town attend some one or other of the schools in Mangalore, those unable to pay school fees being admitted free in the Aided Middle-class Roman-Catholic Schools of Rozario and Milagres, though they cannot obtain admission in the Local, Provincial, or Normal School without payment. There are, however, seven or eight children who do not attend any school. These belong to some drummers and one or two destitute families. The drummers who are Protestants are apparently reluctant to seek gratuitous admission for their children in a Roman-Catholic School, and are not able to pay for their education in the Government Schools. It is worthy of consideration whether such children should not be admitted free in the Government Schools. The Regimental School is, I believe, not available, as Hindustani and Telugu only are taught there.

14. EDUCATION OF EUROPEAN AND EURASIAN CHILDREN IN RURAL PARTS.—As regards the rural parts, the number of Europeans and Eurasians throughout the district (exclusive of the town of Mangalore) is only forty-eight, of whom twelve belong to the German Missionaries, whose children are generally educated in Germany, and the rest to the subordinates of the Public Works, the Forest, and the Medical Departments employed in the several taluqs.

15. There are only four children of a school-going age among these, and they are under instruction.

From W. LOGAN, Esq., Acting Collector of Malabar, to the Acting Secretary to the Board of Revenue, dated Calicut, 26th January 1876, No. 35.

I have the honor to report on paragraphs 8 and 9 of G.O., dated 26th July last, No. 236.

2. On receipt of the Proceedings, I called upon my Divisional Officers for their opinion in the matter, and the following is a brief abstract of their replies :—

The Sub-Collector states that there are in his division no European children who are objects of public charity and aid. The European residents are few and independent. The Eurasian community mostly belong to the official class and are able to provide for their children and give them suitable education in the many Middle-class Schools along the coast. In fact, he considers the number of children so few that special measures for their education are unnecessary.

The Head Assistant Collector reports that no special measures are required for European and Eurasian education in the Palghat and Ponani Taluqs, as the population embracing these two classes is very small. He however advocates the establishment of an elementary English class for them in English Middle class Schools in the larger towns where there is a population, but states that if it be the desire of Government to educate every one of these children, those of the poorer East Indians will have to be clothed and perhaps fed too by Government for the purpose. A separate school for them would hardly be attended by sufficient numbers.

In Wynaad, the Deputy Collector states that by the late Census there were 261 Europeans and 448 Eurasians, and that there are no children in either class who are objects of public charity. There is but one school in the whole taluq, and that at Manantoddy, and this for various reasons cannot meet the requirements of the classes referred to. In the first place, the education imparted is of a very rudimentary character; secondly, the master's knowledge is very limited; and, lastly, the accommodation is indifferent. Even were all these drawbacks improved, the resulting benefit would only be availed of by the children of Europeans and Eurasians living in the town of Manantoddy, because the majority of these classes live on estates separated by miles from each other, and distant from the larger towns. Another impediment to the education of the Eurasian children is the smallness of the income of their parents, which in many cases is barely sufficient for them to live on. Mr. Underwood thinks that an institution established by Missionaries would be well adapted for Wynaad, the children being boarded, lodged, and educated there. That the institution be aided by Government and the landed proprietors, besides the payment received for each child, which is to be regulated in proportion to the means of its parents or guardian.

3. A statement showing the number of Europeans and Eurasians in the rural parts of the district is enclosed.

4. I have also been in communication with the several Municipal Corporations in the district on this subject, and beg to forward the accompanying statement, which exhibits the number of European and Eurasian children in four out of the five Municipalities in Malabar.

5. The opinions of some of the Commissioners are briefly noted below :—

As regards Cannanore, the Commissioners at one of their late meetings passed a resolution to the effect that it has been found impracticable to find who came under the classes set forth in the Proceedings of Government, and that the schools both public and aided now in existence within the Municipality will suffice to impart education to classes. They would however recommend the school fees of such European and Eurasian children as are helpless to be defrayed from Municipal Funds.

In Tellicherry, the number of European children is small and, with one exception, are all below school-going age. Their parents are sufficiently wealthy to give them an independent education. As a rule, they send their children home for tuition. Of fifty-one Eurasian boys and fifty-two girls, only twenty-seven of the former attend

schools. The remainder or most of them are said to be kept back for want of clothing, &c. There are three good schools at Tellicherry, and these the Commissioners consider amply meet present requirements. The Vice-President further states that there are a few children, descendants of respectable ancestors, whose means will not permit of their attending the schools. To open a poor class exclusively for them in the Brennen Zillah School will not, he thinks, be justifiable when there are children amongst Hindus and Mahomedans similarly situated. The majority of Eurasian girls are educated at their own homes.

The Commissioners of the Cochin Municipality are very anxious to see a good middle-class undenominational girls' school established at Cochin, the want of which is greatly felt. The funds at their disposal do not permit such an undertaking. They at the same time consider that what is necessary for the poorer Eurasian youths is an elementary education, after which they may be placed in an industrial school to be taught some useful trade and thus be enabled to earn a decent living. Towards such an end they will have to be clothed as well as educated. The probable cost of such an undertaking would be about Rupees 12 per head per annum.

6. For my own part, I am of opinion that the education of destitute European and Eurasian children naturally falls to those who are responsible for their religious teaching, and I think that all that would be necessary would be attained if the Government were to aid liberally the denominational schools (where such exist) in educating these poor scholars, or to defray their expenses at the ordinary secular schools where denominational schools do not exist. Some line would have to be drawn to determine whether the children were fit objects of charity or not, and this I would propose to effect by a certificate under the hand of the Civil Officer of the division of the district where the child lived.

7. I do not think that Government interference would be productive of any good as soon as the children had completed their elementary education, except perhaps that in some departments children might be taken as apprentices. With that exception the training in industrial pursuits should, I think, be entirely left in the hands of private persons or charitable institutions.

ENCLOSURE No. 1.

STATEMENT showing the Number of Europeans and Eurasians in the Rural parts of the District of Malabar.

Talugs.	EUROPEANS.					EURASIANS.				
	Adults.		Children.		Total.	Adults.		Children.		Total.
	Male.	Female.	Male.	Female.		Male.	Female.	Male.	Female.	
Cherakal ..	2	1	..	2	5	4	3	3	5	15
Kotteyam ..	5	3	3	..	11	..	..	..	..	26
Kurumbranad ..	2	1	2	..	5	10	5	6	5	69
Ernad ..	..	..	..	..	..	21	16	22	10	8
Walluvanad ..	..	..	..	..	..	3	2	2	1	25
Palgaut ..	..	..	..	..	2	..	..	..	..	42
Ponani	8	448
Wynaad	261	

CALICUT,
25th January 1876.

(Signed) W. LOGAN,
Acting Collector.

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Cherakal	2	1	..	2	5	4	3	3	5	15
Kotteyam	5	3	3	..	11
Kurumbranad ..	2	1	2	..	5	10	5	6	5	26
Ernad	21	16	22	10	69
Walluvanad	3	2	2	1	8
Palgaut	2	25
Ponani	8	42
Wynaad	261	448

CALICUT,
25th January 1876.

(Signed) W. LOGAN,
Acting Collector.

STATEMENT showing the Number of European and Eurasian Children in the Municipal Towns of Malabar.

Municipalities.	EUROPEAN.								EURASIAN.							
	Population.		Number of Children under Instruction.		Number of Children without Instruction.		Total.		Population.		Number of Children under Instruction.		Number of Children without Instruction.		Total.	
	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.
Calicut ..	133	49	5	4	*17	*23	22	27	313	318	105	69	†108	†110	213	179
Tellicherry ..	23	11	..	..	† 8	† 6	8	6	51	46	27	..	§ 24	§ 52	51	52
Palghaut ..	8	10	..	2	..	..	..	2	18	16	8	7	2	..	10	7
Cannanore ..	1,369	247	..	..	..	..	..	..	419	483	..	..	..	..	..	..
Cochin ..	62	63	3	2	..	..	3	2	652	748	141	121	|| 40	..	181	121

* Owing to tender age.

† Seven males and six females are infants.

‡ Of these, 143 are below school-going age, and the remaining seventy-five are too poor to attend school.

§ Of these, sixteen boys and sixteen girls are infants.

|| Abject poverty.

CALICUT,
5th January 1876.(Signed) W. LOGAN,
Acting Collector.

STATEMENT showing the Number of European and Eurasian Children in the Municipal Towns of Malabar.

Municipalities.	EUROPEAN.								EURASIAN.							
	Population.		Number of Children under Instruction.		Number of Children without Instruction.		Total.		Population.		Number of Children under Instruction.		Number of Children without Instruction.		Total.	
	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.	Male.	Female.
Calicut ..	133	49	5	4	*17	*23	22	27	313	318	105	69	†108	†110	213	179
Tellicherry ..	23	11	..	..	† 8	† 6	8	6	51	46	27	..	‡ 24	‡ 52	51	52
Palghat ..	8	10	..	2	..	..	..	2	18	16	8	7	2	..	10	7
Cannanore ..	1,369	247	..	..	..	..	..	..	419	483	..	..	..	..	..	..
Cochin ..	62	63	3	2	..	..	3	2	652	748	141	121	§ 40	..	181	121

* Owing to tender age.

† Seven males and six females are infants.

‡ Of these, 143 are below school-going age, and the remaining seventy-five are too poor to attend school.

§ Of these, sixteen boys and sixteen girls are infants.

|| Abject poverty.

CALICUT,
5th January 1876.

(Signed) W. LOGAN,
Acting Collector.

These papers will be submitted to Government with reference to G.O., dated 26th July 1875, No. 236, Educational. The information embodied therein, obtained from the Educational Department, being incomplete, especially regarding statistics, Collectors of up-country districts were called upon to supply the deficiency, reporting through the Board.

2. The points on which report was called for were (a) information as to the localities in each district where pauper children of the classes referred to were to be found; (b) statement of the European and Eurasian population in the Municipalities and in the remaining portions of the districts; (c) a description of the condition of the European and Eurasian population, especially in view of the presence of a pauper class; (d) statement of the number of children of this class attending school; and (e) suggestions for improving the educational resources of this class.

3. As regards statistics the following information is available:—The Census of 1875 at Volume I, pages 213 *et seq.*, gives the gross population of Europeans and Eurasians in each district, and the proportion of these who are able to read and write. The population here is somewhat in excess of the same population as given at page 6 of the Appendix to Volume I, the difference, 2,582, being caused by nationalities like Americans, Jews, &c., being included in the former case and not in the latter. Europeans and Eurasians are clubbed in the statements at page 213, &c.; but the Board are doubtful whether the distinction which is made in other parts of the Census returns between these two classes is to be trusted. Volume II of the 1871 Census, page 11, gives the number of European and Eurasian children, the boys being taken up to twelve years of age, and the girls up to ten years of age. The districts have been reported on by Collectors on the present occasion with one head for each Municipality and one for the rural parts of the district. They have, as a rule, given the European and Eurasian population of each of these sub-divisions; where not given by Collectors the population of the Municipalities can be ascertained from the Census Volume I, page 61. The Collectors have in a few cases given the number of children of this class actually attending school in each division of the district reported on. Some Collectors have given the number of European and Eurasian children "of a school-going age," but it does not appear what definition of the term has been acted upon, or what is

the basis of calculation. On the whole the statistics now added by Collectors to what are already known from the Census are not sufficiently precise or uniform to admit of tabulation.

4. Collectors have, as desired, given remarks as to the condition of the classes in question, particularly with reference to the presence of a pauper residuum. The Board think the remarks show that there is little real pauperism among Europeans and East Indians in the Mofussil, and that where it exists it is or may be met by private charity, and by the Government aid afforded to orphanages and other charitable institutions. The Board are not aware of any special causes likely to induce an increase of pauperism among those classes in the future.

5. Collectors have also, as desired, made suggestions where necessary for supplying educational deficiencies. The remarks are all of a detailed nature, and very little seems to be needed. In the few places where any numbers of pauper children of the classes under notice are found circumstances point to improvement in their condition being effected by local and private action rather than by Government interference. The latter could hardly be exercised efficiently without legislation. The necessity for this is not apparent; and the benefits likely to accrue are somewhat doubtful.

6. The Government have already remarked that what is required for the Eurasian community is more education in the widest sense of the word than mere instruction. The suggestion which has been made in several quarters as to the establishment of Industrial Schools appears to the Board a most important consideration in the carrying out of this object, and should have the attention of the Educational Department.

(A true Extract.)

(Signed) J. STURROCK,
Acting Sub-Secretary.

No. 26.

ORDER THEREON, 20th May 1878, No. 183.

These papers entirely confirm the view adopted by Government in their Proceedings, dated the 26th July 1875, No. 236, that in the matter of the education of children of pauper Europeans and Eurasians in this Presidency the necessities of the case are neither great nor pressing.

2. The whole number of such children in 1875-76 seems to have been inconsiderable, and a large proportion of these—who, though not paupers, were at that date not being educated though of school-going age—were the children of Railway *employés*, to whose case attention has since been specially given by the Directors of the Railway Companies and their Agents. His Grace the Governor in Council would again press the subject on their attention, and desires that particular attention may be directed to the case at the next Census, in view to accurate statistics being collected.

3. As regards other children, it seems to His Grace in Council that all that is necessary is to direct the special attention of the Director of Public Instruction and his Inspectors to the subject, in view to the admission of such children as free scholars in Government and Aided Schools, where the inability of their parents to pay the fees is established.

4. Colonel Macdonald's attention will be specially invited to the subject as one to which the Government attach much importance, and with which it appears to them that the Educational Department is perfectly competent to deal adequately if the requisite exertions be made to trace out the cases, which are evidently very few, by the aid of the District Officers. His Grace in Council would also enlist the services of all Chaplains in the Government service and of Roman Catholic Priests in the matter.

5. The most pressing case seems to be that of Vellore, which, the Government fear, possesses a considerable and much-neglected body of the class in question. The Collector's information is, however, very crude and undigested.

6. The Government do not admit the objection suggested on the score of impartiality of treatment as compared with the native population. The pauper European and Eurasian is really infinitely more destitute than the pauper native, and some education for their children is infinitely more essential to enable them to earn a livelihood—while as an uneducated and desperate class they are calculated to be infinitely more dangerous and expensive to the community. In the interests of all it is advisable to train them to earn an honest living.

7. The question of industrial training is a large one, but must evidently be dealt with separately from that of primary instruction for these scattered units. The Government think that a Central Industrial School to which they might be drafted is not impracticable.

(True Extract.)

D. F. CARMICHAEL,
Chief Secretary.

To the Board of Revenue.
" the Director of Public Instruction.
" the Consulting Engineer for Railways,
for communication to Railway Companies.
" all Collectors.
" the Venerable the Archdeacon.
" the Right Rev. Dr. S. Fennelly.
" the Very Rev. B. F. Amarante.
" the Senior Chaplain of the Church of Scotland.

Rec^d - fr. arch^d
Aug^t 25 78

GOVERNMENT OF MADRAS.

ECCLESIASTICAL DEPARTMENT.

16th July 1878, No. 179.

Marriage with deceased Wife's Sister.

Read the following paper :—

No. 5. *From C. BERNARD, Esq., Officiating Secretary to the Government of India, Home Department (Ecclesiastical), to the Chief Secretary to Government, dated Simla, 20th June 1878, No. 215.*

I am directed to acknowledge your letter, No. 64, dated the 1st March last, on the question whether marriage with a deceased wife's sister is legal in the case of East Indians, and, in reply, to say that the Government of India have been advised that, as the English law governs questions of marriage with a deceased wife's sister in the case of East Indians, such a marriage is not legal among that community.

2. East Indians not having, like Hindus and Muhammadans, a personal law of their own, the law applicable to them is what is called the territorial law of India ;

* Volume 1, B. L. R., page 87.

and this, ever since Mr. Justice Markby's decision* in the case of the Secretary of

State *versus* the Administrator-General of Bengal, has been held to be that modified form of English law which is administered in the Original Sides of the High Courts in the Presidency towns. Now this modified form of law does not comprise any English statute passed after the year 1726 (when the Mayors' Courts were established at Calcutta, Madras, and Bombay), which does not expressly or by necessary implication apply to British India.

3. The English Statute 5 and 6, Wm. IV, c. 54, which renders a marriage with the sister of a deceased wife absolutely void, was passed after 1726 : it does not expressly or by necessary implication apply to British India : it is therefore no part of the territorial law of this country.

4. Consequently, the marriage of an East Indian (domiciled in British India) with his deceased wife's sister is not void ; and so the late Mr. Justice Norman

† Hyde Reports, page 65.

held† in the case of *Das Merees versus Cones*. But such a marriage is *illegal*

and may, during the life-time of both parties, be annulled by an Ecclesiastical Court. For, being within what are called the prohibited degrees, it contravenes the Statute 32, Henry VIII, c. 38, which is part of the territorial law of India as above defined.

5. The result of this position is that, if a marriage with a deceased wife's sister in the case of East Indians is not annulled by the sentence of an Ecclesiastical Court, in a suit instituted during the life-time of both the parties, the survivor, either the husband or the wife, will succeed to the proper share in the estate of the deceased, which, in the case of intestacy, devolves on such survivor as the lawful husband or wife of the deceased under the Indian Succession Act.

6. The above remarks apply only to the case where the husband is domiciled in British India. If an East Indian be domiciled in England, the law of his domicile would prevail, and, if he married his deceased wife's sister, the marriage, though

celebrated in India, would, according to English law, be void, as being *in fraudem legis domesticæ*. To this effect is the well-known case of *Brook versus Brook* decided by the House of Lords in 1861.

No. 6.

ORDER THEREON, 16th July 1878, No. 179.

Communicated to all Marriage Registrars, &c., &c.

(True Extract.)

D. F. CARMICHAEL,
Chief Secretary.

To all Marriage Registrars.

„ the several Missionary Societies, for communication to

Ministers of Religion licensed to solemnize Marriages.

„ the Advocate-General.

„ the Government Solicitor.

„ the Administrator-General.

„ the Registrar, High Court, Original Side,

for the information of the Honorable the Judges.

„ all District Judges.

„ the Venerable the Archdeacon.

„ the Senior Chaplain, Church of Scotland.

Govt. of 1878 Madras.

ECCLESIASTICAL.

To

ALL MARRIAGE REGISTRARS,

&c.,

&c.,

&c.

Dated July, 16th.

Issued

Recd.

Encl.

G.O., 16th July 1878, No. 179.

JULY.
Nos. 5-6.

Marriage with deceased Wife's Sister.—Communicating letter from the Government of India stating that such marriage is not void but illegal in the case of East Indians.

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GOVERNMENT OF MADRAS.
PUBLIC WORKS DEPARTMENT.

29th November 1878, No. 4,569 W.

General.
Account.

Read the following papers :—

No. 349. Endorsement of the Acting Chief Secretary to Government in the Ecclesiastical Department, dated Ootacamund, 25th September 1878, No. 1,733.

From L. C. PROBYN, Esq., Accountant-General, Madras, to the Deputy Accountant-General, Mysore, dated Fort St. George, 10th August 1878, No. 5,198.

In reply to your letter, No. 408, dated the 3rd instant, I have the honor to state that all fees from cemeteries are credited to Department of Public Works, and that there is no fund in the Civil Department styled "Cemetery Fund," nor is there any other against which cemetery charges are debited.

2. The Civil Department admits as Provincial charges the pay of Malichowkidars sanctioned by the Madras Government in accordance with the scale laid down by the Government of India, and accordingly the monthly bills for Rupees 12 and Rupees 7 for the new cemetery and that of St. John's at Bangalore, respectively, are passed by this office.

3. Rule IX mentioned by the Examiner, Public Works Accounts, does not cover this case, for not only is there no provision in that rule for charges incurred under it being debited to Government, but the establishment whose pay is now sought to be charged against Government was disallowed by the Madras Government in their Order of 24th May 1877, No. 127, Ecclesiastical, copy enclosed; and it was observed that the work of digging graves will not fall upon the permanent establishment, but will be carried out as laid down in paragraph 8 of the Resolution above quoted. This is Government of India Resolution, 9th November 1876, No. 370 H. D. (Ecclesiastical), which is identical with Rule IX quoted by the Examiner, Public Works Accounts. It is thus clear that all expenses referred to in that rule should be paid by those who give the orders for graves, &c.

4. The outlay in connection with labor in the cemeteries which is a final charge against Government is that specified in paragraph 4 of Government of India Resolution, dated 9th November 1876, viz., for planting a cemetery and preserving it in decent order.

5. For the reasons above given the request made by the Senior Military Officer, Bangalore, for the payment from Her Majesty's Treasury of Rupees 353-5-0 on account of the new cemetery, Oosoor Road, and St. John's Cemetery, cannot be complied with.

4. Under these circumstances there is no fund of any sort available to meet the bill of the District Engineer (enclosed) for expenses incurred for establishments which it is absolutely necessary should be maintained* for digging graves from August 1877 to June 1878 Rupees 353-5-0, or for similar charges from the latter date. It is requested that Government may sanction payments for these charges from the fees remitted to the Civil Treasury under G.O., Ecclesiastical Department, 27th December 1877, No. 286, Chapter II, Rule IX.

* For the reason set forth in paragraph 3 of letter from the District Engineer, dated 19th January 1878, No. 207. See G.O., P.W.D., 29th April 1878, No. 1,981 W.

5. With reference to Rule I of the same Government Order and chapter, no charge has hitherto been made at Bangalore for digging graves. In future, with the sanction of Government, charges on this account can be levied and a separate fund formed from which the establishment for digging graves can be paid. This fund will be kept distinct from that of fees and no portion of it lodged in the Civil Treasury.

No. 4,901.

TRANSFERRED to the Ecclesiastical Department.

(By order,)

OOTACAMUND,
20th September 1878.

(Signed) J. MICHAEL, Colonel,
Secretary to Government.

To the Ecclesiastical Department, with three enclosures.

No. 1,716.

REFERRED to the Venerable the Archdeacon for his remarks.

OOTACAMUND,
21st September 1878.

(Signed) C. G. MASTER,
Acting Chief Secretary.

From the Venerable C. R. DRURY, M.A., Archdeacon and Commissary, to the Acting Chief Secretary to Government, Ootacamund, dated Madras, 23rd September 1878, No. 60.

IN reference to papers forwarded for my opinion by endorsement, No. 1,716, 21st September 1878, referring to payment of expenditure incurred by the District Engineer, Bangalore, for the cemetery of that station, and Brigadier General O'Connell's suggestion that charges should be made for burials with a view to accumulating a cemetery fund, I beg to submit that paragraph 4, Appendix A of G.O., 27th December 1877, says that "no Portion of the receipts from cemeteries should be retained by any Government Officer to be directly expended by himself."

2. I think that the only course to pursue is that suggested in my letter of this date in reference to the cemetery at Cannanore, viz., that the surviving relatives of deceased persons should repay to the District Engineer the cost of digging the graves, or that the undertaker should employ coolies for the purpose and defray the cost. But in cases where surviving relatives are too poor to incur even such a small outlay, that the cost should be defrayed out of the cemetery fees paid into the Civil Treasury.

3. The reduction of Church establishments has entailed considerable expense upon the various Church of England congregations, and I do not think they can, under the circumstances, when the cemetery fees are taken by Government, be expected to provide a cemetery fund to meet contingent expenses in regard to cemeteries.

TRANSFERRED to the Public Works Department, with reference to G.O., Ecclesiastical, No. 287, dated 18th November 1876.

(Signed) C. G. MASTER,
Acting Chief Secretary.

No. 349-A. From Lieutenant-Colonel R. B. KENNEDY, District Engineer, Malabar, to the Chief Engineer, Roads and Buildings, Madras, dated Calicut, 12th September 1878, No. 64.

UNDER Rule IX of Notification, Ecclesiastical, dated 12th December 1877, published with G.O., No. 280 W, dated 17th January 1878, the Divisional Officer at

	RS.	A.	P.	
November 1877—Rev. Smithwite for digging graves	6	6	0	Cannanore advanced to the Chaplain at that station Rupees 95-6-0 as particularized in the margin on account of digging graves and the up-keep of the cemetery, and has since been called upon by the Examiner, Public Works Accounts, to adjust the amount, agreeably to G.O., No. 1,981 W, of 29th April 1878; the Divisional Officer requested the Deputy Assistant Quartermaster-General to repay the amount from the cemetery fund; but the latter officer having stated that there is no cemetery fund, I have the
February 1878—Rev. Smithwite for the up-keep of station cemetery	75	0	0	
February 1878—Rev. Smithwite for digging graves	7	8	0	
July 1878—Rev. French for digging graves	6	8	0	
Total ...	95	6	0	

honor to request orders as to how this amount should be adjusted.

2. Orders will also be required as to how the up-keep of the cemetery at Cannanore, for which a sum of Rupees 75 will be required, also charges for digging graves, are to be provided for in future.

No. 4,210.

REFERRED, through the Ecclesiastical Department, to the Venerable the Archdeacon for his remarks, with reference to his letter, No. 16, of the 24th April 1878.

(Signed) E. A. FOORD, Colonel, R.E.,
Secretary to Government, P.W.D.

19th September 1878.

1,707.

REFERRED to the Venerable the Archdeacon for his remarks.

OOTACAMUND, (Signed) C. G. MASTER,
20th September 1878. Acting Chief Secretary.

From the Venerable C. R. DRURY, M.A., Archdeacon and Commissary, to the Acting Chief Secretary to Government, dated Madras, 23rd September 1878, No. 59.

In reference to letter of the District Engineer, Malabar, No. 64, Calicut, 12th September 1878, showing that Rupees 95-6-0 has been paid by his office for digging graves and the up-keep of the cemetery, and that on applying for a refund from the cemetery fund, he has been informed that there is no cemetery fund in existence, which has been referred to me for my

* My letter, No. 16, 24th April last, and G.O., No. 1,981, of 29th April 1878.

remarks, I beg to say* that it did happen that there was a cemetery fund at Bangalore out of which similar charges were paid to the District Engineer; but there ought not to have been a cemetery fund, assuming that it consists of an accumulation of fees connected with the cemetery, because all these should by orders of Government of India, 9th November 1876, paragraph 4, be paid into the Civil Treasury to the credit of the Public Works Department. Under this order it is impossible that a cemetery fund can be formed at any station, and accumulated in the hands of the Church Committee to meet contingent expenses. In cases in which the relatives of the deceased can afford to pay for digging graves, they should be compelled to repay

the cost incurred for such purpose by the District Engineer, or the undertaker should pay the coolies for digging the grave; but in cases where the relatives of the deceased are too poor to meet even such a small outlay, and there are such instances, this expense should, I think, be paid out of the fund collected by the payment of all receipts from cemeteries into the Treasury; and the up-keep of the cemetery should be provided for out of the same source.

1,732.

TRANSFERRED to the Public Works Department with papers.

OOTACAMUND,
25th September 1878.

(Signed) C. G. MASTER,
Acting Chief Secretary.

No. 349-B. From L. C. PROBYN, Esq., Accountant-General, Madras, to the Secretary to Government, Public Works Department, dated Fort St. George, 31st October 1878, No. 6,055.

IN reply to your reference, No. 4,573, dated the 10th instant, I have the honor, when returning the papers which accompanied it, to state that the authorities at Bangalore and Cannanore have mixed up two classes of expenditure which must be kept quite distinct as they are differently treated.

- (1) The outlay for keeping cemeteries in order is a charge against Provincial Services which receive credit for the fees levied in connection therewith. It is incurred on account of the pay of Malichowkidars and other items duly sanctioned by the local Government (under the rules laid down by the Government of India) before payment is made.
- (2) The expenditure for digging graves and preparing coffins is incurred under orders given by the Senior Military Officer or Chief Local Magistrate to the Public Works Officer or to any other person he may select, but this has nothing to do with the cemetery charges.
2. The outlay on account of soldiers' interments must be a charge against the Military Department, and when it cannot be recovered from the relatives or the estate of a non-military man against the Civil Department as in the case of all pauper burials.
3. The authorities at Bangalore erred in maintaining an establishment for digging graves. It must be either accepted as a Military charge or recovered from the officers responsible for keeping up the unauthorised establishment.
4. As regards the expenditure at Cannanore, where there is a Malichowkidar, the sanction of Government must be obtained for the up-keep charges of Rupees 75, or the amount will have to be recovered from the late Chaplain who ordered the outlay. The charges for digging graves should have been adjusted as incurred, but since this has not been done they must be dealt with in accordance with the principles enunciated in paragraph 2 above.

No. 350. ORDER THEREON, 29th November 1878, No. 4,569 W.

It is observed that the following expenditure has been incurred in connection with the cemeteries at Bangalore and Cannanore, on which the orders of Government are desired :—

I.—Bangalore, New Cemetery, Oosoor Road, and St. John's—

Establishment employed for preparing graves and making Rs. A. P.
arrangements for interments generally from August 1877 to
May 1878 inclusive, Rupees 353-5-0.

II.—Cannanore Cemetery—

Maintenance of station cemetery	...	...	...	...	...	75	0	0
Advances for digging graves	...	...	...	...	...	20	6	0
Total	...	...	...	...	...	95	6	0

2. The expenditure in the latter case is of two kinds, which must be separately and differently dealt with. The item of Rupees 75 is susceptible of adjustment in the Public Works Department under the head "planting cemetery and preserving it in decent order," and is accordingly sanctioned debitable to Provincial Funds, Repairs, Civil Buildings. The Superintending Engineer will make the necessary appropriation to cover the outlay.

3. In regard to the cost of the establishment at Bangalore and outlay on digging graves at Cannanore, aggregating Rupees 373-11-0, the adjustment of the charge, under the rules, rests with the Chaplains at those stations, the Public Works Department being authorised only to advance the funds to be subsequently repaid. Accordingly, the distribution of this amount must be determined in the Ecclesiastical Department, by reference to its records of burials, as to the amount recoverable from—

- (a) The Military Department, on account of the interment of soldiers, &c.
- (b) The relatives or estates of the deceased, non-military persons, in a position to recoup the cost.
- (c) The Civil Department, on account of all pauper burials. *+*

After this distribution has been ascertained the case should be submitted for the orders of Government.

4. The orders issued in this department on the 29th April 1878, No. 1,981 W, directing the expenditure incurred by the District Engineer at Bangalore, on the establishment for preparing graves, &c., above referred to, to be recouped from the cemetery fund, is hereby cancelled.

5. The unauthorized establishment hitherto maintained must be discontinued at once, and other suitable arrangements made, as authorized in G.O., Ecclesiastical Department, No. 286, dated 27th December 1877.

(True Extract.)

(Signed) E. A. FOORD, Colonel, R.E.,
Secretary to Govt., P.W.D.

To the Superintending Engineer, Third Circle.
 „ Examiner of Public Works Accounts.
 „ Ecclesiastical Department.
 „ Military Department.

By the Superintending Engineer, Third Circle

GOVERNMENT OF MADRAS.

ECCLESIASTICAL DEPARTMENT.

9th June 1879, No. 143.

Cemeteries.

Read the following paper :—

No. 9. *Notification of the Government of India, Home Department (Ecclesiastical), dated Simla, 16th May 1879, No. 159.*

The following Rule is published for general information and guidance, in substitution for Rule V of Part II of the Rules published in Home Department Notification, No. 421, dated the 12th December 1877. Those Rules were for the care and use of Government Cemeteries other than those in the Presidency Town of the Diocese of Calcutta; for the levy and expenditure of fees on graves and monuments in Cemeteries and Churches throughout India; and for the levy of other Ecclesiastical fees :—

RULE V.—British soldiers and non-commissioned officers are exempted, with retrospective effect, from the payment of any fee for the construction of masonry graves, or for the erection of monuments in burial-grounds to the memory of their comrades, wives or children. The widows and children of British soldiers and non-commissioned officers are also exempted from payment of these fees in the case of their deceased husbands or parents. No monument, either regimental or private, shall exceed the dimensions prescribed in paragraph 3, Home Department Resolution,* No. 6—370-82, dated the 9th November 1876.

* Appendix A.

(Signed) C. BERNARD,
Offg. Secy. to the Govt. of India.

No. 3—160.

Copy forwarded to Local Governments and Administrations, the Financial, Military and Public Works Departments, the Bishop's Chaplain, the Venerable the Archdeacon of Calcutta, and the Senior Chaplain of the Church of Scotland, with reference to endorsement, No. 4-422, dated the 12th December 1877.

(Signed) F. C. DAUKES,
Under Secy. to the Govt. of India.

29th May 1879.

To the Government of Madras.

No. 10. ORDER THEREON, 9th June 1879, No. 143.

Communicated in continuation of G.O., dated 27th December 1877, No. 286, to the Venerable the Archdeacon of Madras, to the Public Works Department, to all District Magistrates, to the Right Rev. Dr. Fennelly, and to the Senior Chaplain of the Church of Scotland.

(True Extract.)

C. G. MASTER,
Acting Chief Secretary.

To the Venerable the Archdeacon of Madras.
" the Public Works Department.
" all District Magistrates.
" the Right Rev. Dr. S. Fennelly.
" the Senior Chaplain, Church of Scotland.
" the Military Department, for information.

Exd. J. Wright.

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GOVERNMENT OF MADRAS.

ECCLESIASTICAL DEPARTMENT.

8th September 1879, No. 206.

Brennen Endowment.

Read the following papers:—

- No. 6. *From A. C. TUPP, Esq., Officiating Accountant-General, to the Acting Chief Secretary to Government, dated Fort St. George, 21st June 1879, No. 2475.*

Book Department.

With reference to G.O., Ecclesiastical Department, No. 213, dated the 30th May last, I have the honor respectfully to suggest, for the consideration of His Grace the Governor in Council that the sum of Rupees 400 be paid into the treasury at Malabar for remittance to me by a transfer receipt for credit of Mr. Brennen's Endowment for a Protestant Chapel at Tellicherry and invested in the same manner as are the moneys alluded to in the concluding sentence of paragraph 3 of Proceedings of Government, Judicial Department, No. 1128, of 4th September 1860, and Proceedings of Government, Ecclesiastical Department, No. 203, of 9th October 1866.

2. I beg to state that interest on previous investments has accrued to the extent of Rupees 2,173-6-0 and to request sanction for its investment in Government promissory notes if the sum is not required immediately.

—
No. 1293.

Forwarded to the Domestic Chaplain with request that he will obtain and submit the views of the Right Reverend the Lord Bishop and of the Lay Trustee at Tellicherry on the Accountant-General's suggestion.

Ootacamund,
26th June 1879.

(Signed) C. G. MASTER,
Offg. Chief Secretary.

- No. 7. *From the Rev. S. MORLEY, Domestic Chaplain to the Right Reverend the Lord Bishop of Madras, to the Acting Chief Secretary to Government, dated Ootacamund, 21st July 1879, No. 923.*

ABSTRACT.—Forwarding letter from the Church Committee Tellicherry requesting that interest that has accrued on the Brennen Endowment may be under their control for lighting apparatus and painting.

- No. 8. *From the Rev. S. MORLEY, Domestic Chaplain to the Right Reverend the Lord Bishop of Madras, to the Acting Chief Secretary to Government, dated Ootacamund, 12th August 1879, No. 929.*

ABSTRACT.—Forwarding a letter from the Lay Trustee of Tellicherry Church showing that the cost of the contemplated improvements in the Tellicherry Church will amount to about Rupees 250.

No. 9. *From the Rev. S. MORLEY, Domestic Chaplain to the Right Reverend the Lord Bishop of Madras, to the Acting Chief Secretary to Government, dated Ootacamund, 27th August 1879, No. 935.*

In reply to your memorandum, No. 1471, Educational Department, of 23rd July, and your letter of 11th August relating to the Brennen Endowment Fund, I am desired by the Bishop to say that he approves of the Accountant-General's proposal to invest in Government promissory notes the Rupees 2,173-6-0, being the amount of accumulated interest on previous investments.

2. He has looked through the papers herewith returned and finds all clear up to the Government Proceedings of 12th August 1868.

3. In these Proceedings there is a statement by the Accountant-General of the whole amount of investments on account of the Brennen Church Endowment Fund, viz., Rupees 5,000, at five-and-a-half per cent and of the balance at credit of the Fund, viz., Rupees 509-11-8.

4. Also authority was then given to the Tellicherry Church Committee to draw the interest as it fell due with directions to submit an annual account to Government of the interest drawn and of its expenditure.

5. The next Proceedings of Government on the subject are dated 30th June 1871, and in conjunction with those of 21st May 1874 seem to indicate that the Committee drew the interest up to June 1871. But no interest seems to have been drawn subsequently, and, as a necessary consequence, the accounts rendered by the Church Committee have not exhibited a full statement regarding the fund; the interest accruing each year on the investments has been left out of sight.

6. As a remedy for the future, the Bishop suggests that every year when he receives the account from the Church Committee, he should forward it to the Accountant-General and the Accountant-General add his statement, always specifying the amount invested and rate of interest; that the Accountant-General should submit the whole to Government; and that the Proceedings of Government embodying the two statements should be communicated to all concerned. This, it is hoped, would prevent in future such an overlooking of the existence of the investments belonging to the fund as that which has now occurred.

7. In the early papers the name of the benefactor is always spelt "Brennon." In the Government Proceedings of 1st March 1861 it is spelt for the first time "Brennen" and has continued to be so spelt. A reference to some early original manuscripts might determine which is correct.

No. 10.

ORDER THEREON, 8th September 1879, No. 206.

Adverting to the improvements contemplated by the Church Committee at Tellicherry, His Grace the Governor in Council directs that the balance of Rupees 470-6-6 shown in G.O., dated the 30th May 1879, No. 213, be held intact.

2. The interest, amounting to Rupees 2,173-6-0, mentioned in paragraph 2 of the Accountant-General's letter, No. 2475, dated 21st June 1879, will however be invested in Government promissory notes.

3. The Right Reverend the Lord Bishop's suggestions in paragraph 6 of the Domestic Chaplain's letter, No. 935, dated the 27th August 1879, are approved, and will be carried out.

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GOVERNMENT OF MADRAS.

E D U C A T I O N A L D E P A R T M E N T .

21st January 1880, No. 13.

European and Eurasian Children.

Read the following paper :—

- No. 10. *Extract from the Proceedings of the Government of India in the Home, Revenue and Agricultural Department (Education), under date 22nd November 1879, No. 5—202-319.*

READ—

A Minute by His Excellency the Viceroy, dated the 25th March 1879, on the subject of the education of European and Eurasian children in India.

Read—

A Memorandum by the Venerable Archdeacon Baly on the subject of the steps that should be taken to promote the education of the children of the poor classes of Europeans and Eurasians in India.

RESOLUTION.

In the year 1874 the Local Governments were asked for detailed information as to the number of European and Eurasian children who attended and who did not attend school, and were invited to report what measures were needed, and could be undertaken from Provincial resources, for promoting the education and prospects of the children of poor Europeans and Eurasians. The replies to that call disclosed the following facts :—

- (1) that out of an estimated total of 26,649 European and Eurasian children of school-going age, 15,067 were actually under instruction ; about 56 per cent. were boys and 44 per cent. were girls ;
- (2) that Government spent on these schools about Rs. 1,75,000 ;
- (3) that there were two large classes of children who received no education, viz., the children of the very poor in the Presidency and other large cities, and the children of European and Eurasian employés at out-stations which could not support a school ;
- (4) that the Local Governments, though they admitted that further measures were in some instances needed, were yet unable to set aside from their Provincial grants further sums for children of these classes, without injustice to the vast native populations for the benefit of which those Provincial grants had been given.

2. It appeared that many of the existing schools for this class of children were inefficient, and that one chief cause of their ill-success was the want of competent masters and mistresses. During the last few years the subject has undergone a good deal of consideration and discussion by the Government of India, and several valuable reports were received from the Venerable Archdeacon Baly on the condition of schools

for Europeans and Eurasians in the Bengal Presidency early in the present year. The Minute quoted in the preamble of this Resolution was recorded by His Excellency the Governor-General, and subsequently Archdeacon Baly was invited to draw up a report upon the best measures for giving effect to the views of His Excellency in consultation with Dr. J. M. Cunningham, the Sanitary Commissioner with the Government of India, and Mr. Rawlins of the Civil Service. Archdeacon Baly has now submitted an elaborate memorandum, which, though it has not yet been fully considered or adopted by his colleagues, appears to the Governor-General in Council to contain valuable suggestions which are deserving of careful consideration, and it raises questions on which further and more precise information is needed. It has accordingly been deemed expedient to publish the paper and to circulate it to the several Local Governments and Administrations in the Presidency of Bengal, and also to the Governments of Madras and Bombay, in order that the various recommendations contained in it may be fully considered and reported upon by competent officers of the several educational departments, and by other persons who have given attention to the subject to which it relates. Among the suggestions made by Archdeacon Baly there are two, viz., the proposals to establish at an early date a training college for teachers for European and Eurasian Schools in the Bengal Presidency and to extend the Free Schools at Allahabad and Lahore, upon the expediency of which no doubt can be entertained. In regard to others, such as the suggestions to impose a special local rate upon the classes interested in schools of the nature of those now under consideration, and, under certain circumstances, to compel European and Eurasian parents to send their children to school, opinions will probably differ; but it is desirable that these and other suggestions, and the grounds upon which they are urged, should be fully discussed and considered.

3. In the mean while the Venerable the Archdeacon has offered to devote the whole of the present cold season to visiting various stations in the Bengal Presidency and to completing his information on the present condition of European and Eurasian Schools and on the educational requirements of those classes of the community, conferring with the local authorities as to the steps to be taken. Of this offer, which has been approved by the Bishop of Calcutta, the Governor-General in Council gladly avails himself; and he trusts that the Archdeacon's further inquiries will enable the Government to deal in a comprehensive manner with this most important subject. The Archdeacon will make his proposed tour on behalf of the Government of India in the capacity of "Secretary to the Committee for inquiring into European and Eurasian education." His Excellency the Commander-in-Chief will be requested to allow the Archdeacon to visit any Army Schools which he may desire to inspect in the course of his tour. The Archdeacon will be requested to consider, in concert with the Lieutenant-Governors of Bengal, the North-Western Provinces and the Punjab, what practical steps should be taken for the early establishment of a training college for the Presidency of Bengal at a suitable place in one of these Provinces, and with the two latter officers the arrangements which it is desirable to make for extending the Allahabad and Lahore Free Schools. He will be good enough to submit the results of his inquiries to the Government of India. It will be desirable that separate reports should be furnished on the question of the proposed training college and on that of extending the Free Schools at Allahabad and Lahore.

4. The Archdeacon's inquiries have not extended to British Burma, or to the Presidencies of Madras and Bombay, but a copy of this Resolution, with copies of the papers read in the preamble, will be furnished to the Chief Commissioner of Burma for report; as well as to the other Local Governments of the Bengal Presidency, and also to the Governments of Madras and Bombay, in case they should see fit to make similar inquiries in their territories.

5. The Local Governments will be asked to consult selected educational officers, the Bishops of the respective Dioceses, the Archbishops and Vicars Apostolic of the Roman Catholic Church, Managers of Railways, and other persons interested in, or acquainted with, the subject, and will be requested to furnish their opinions on the matter by some date not later than the end of next March.

6. The Governor-General in Council desires in conclusion to tender to Archdeacon Baly the cordial acknowledgments of the Government of India for his valuable memorandum and for the zeal and ability with which he has devoted himself to this important work.

ORDER.—Ordered that a copy of the above Resolution, with copies of the Venerable Archdeacon's report, be forwarded to the several Local Governments and Administrations for information and guidance, to the Military Department with reference to paragraph 3, to the Right Reverend the Lord Bishops of Calcutta, Lahore and Rangoon, to the Venerable Archdeacon Baly, to the Senior Chaplain of the Church of Scotland, and to the Secretary of the Eurasian and Anglo-Indian Association.

(True Extract.)

(Signed) C. BERNARD,
Offg. Secy. to the Govt. of India.

ENCLOSURE No. 1.

A Preliminary Report submitted by ARCHDEACON BALY for consideration to the Committee of Inquiry on European and Eurasian Education, and referred by them to the decision of His Excellency the Governor-General in Council.

In accordance with the Minute of His Excellency the Viceroy on the subject of European education in India, bearing date March 22nd, 1879, we have the honor to submit for the consideration of the Government of India a comprehensive scheme of education for the children of the poorer and middle classes of Europeans and Eurasians; which shall have a reference to their fitness for the means of profitable employment open to them in India.

Before entering upon a more detailed explanation of the classes of schools required, it seems desirable to us—

- (1) To take a brief and general review of what has been already done for the education of Europeans in India, in order that it may be ascertained what remains to be done, and how this may be accomplished with the least disturbance of the existing system.
- (2) To mention the causes which have hitherto rendered European education in India far less efficient than is necessary, and the measures which, in our opinion, will be required before it can be placed upon a better footing.
- (3) To examine some preliminary considerations, the careful discussion of which will serve to clear this important question of misapprehensions more or less generally prevalent, and to develop the principles which should guide the action of Government in dealing with it.

General statement of what has already been done.

Before the Mutiny the question of European education in India appears to have excited but little interest, either public or private, outside the Presidency towns.

GOVERNMENT OF MADRAS.

ECCLESIASTICAL DEPARTMENT.

10th July 1880, No. 128.

Administration Report.

Read the following paper :—

No. 1. *From the Right Reverend the Lord Bishop of Madras, to the Most Noble His Grace the Governor in Council, dated Ootacamund, 7th July 1880, No. 20.*

I have the honor to enclose, herewith, the Ecclesiastical Administration Report for the year ending 31st March 1880.

ENCLOSURE No. 1.

ADMINISTRATION REPORT FOR THE YEAR 1879-80.

On the 31st March 1879 the number of Clergymen belonging to the Diocese of Madras was 207 ; of whom—

- 36 were Government Chaplains.
- 21 „ Europeans or Eurasians employed in education, or ministering to English Congregations, or retired.
- 2 „ Bishops superintending parts of the Native Church.
- 42 „ European and Eurasian Missionaries.
- 104 „ Native Pastors.
- 2 „ Native Clergymen otherwise employed or retired.

2. The total number is less than that of March 1879 by 24.

The principal cause of this decrease is the transfer of the 23 Clergy in Travancore and Cochin, viz., seven European and sixteen Native, to the care of the newly-consecrated Bishop of the Anglican Church in those two Native States. The Government Chaplain of Trivandrum is not included in the 23. His name is retained in the list of Chaplains on the Madras Establishment.

3. ABSENCES.—Three Chaplains were absent on furlough, and six Missionaries, on 31st March 1880.

4. RETIREMENTS AND DEATHS.—Two Chaplains died and four retired. Two Missionaries retired. Three Native Clergymen died.

5. NEW CHAPLAINS AND MISSIONARIES.—Four new Chaplains arrived, also one Clergyman in connection with the Colonial and Continental Church Society, and one Missionary.

6. ORDINATIONS.—Three ordinations were held by the Bishop of Madras—one at Bangalore, at which a European was ordained Deacon; one at Cochin, at which a European Deacon was ordained Priest; and one at Madras, at which two Europeans were admitted to Deacons' Orders, and one European and two Natives to Priests' Orders.

Also an Ordination was held by Bishop Sargent at Palamcottah, at which two Europeans and eleven Natives were ordained Priests.

Thus the whole number of those ordained Deacons in the year was 3, of Priests 17.

The name of the native C. M. S. Clergyman at Aurungabad, which did not appear before, is included in the present list, making the whole number of additions in the year 10, while the losses number 34.

7. CONFIRMATIONS.—The number of persons confirmed was 4,104, viz., 882 Europeans and Eurasians, and 400 Natives, by the Bishop of the Diocese; 1,103 Natives by Bishop Caldwell; and 1,719 Natives by Bishop Sargent.

8. CONSECRATIONS.—One church was consecrated, viz., at Aurungabad; and nine Cemeteries, viz., at Palmanér, Bellary, Raichore, Shahabad, Chuderghaut (enlargement), North Trimulgherry, Chikalda, Khamgaum, and Calicut.

9. VISITATION.—In September the Bishop visited Bangalore; in November and the following two months, Bellary, Secunderabad, Berar, the stations on the West Coast, Tinnevely, and Madura.

10. THE METROPOLITAN'S VISITATION.—The Metropolitan visited Secunderabad, Bangalore, Tanjore, Trichinopoly, Madura, and Madras in January and February.

11. VACANCIES.—Aurungabad was without a Chaplain for about six months, the Native Clergyman, a convert from the Parsee religion and a good English scholar, generally conducting the services. Berhampore has continued to be served by a retired Chaplain. Calicut and Coimbatore were under the charge of only one Chaplain for nine months. Cuddalore was without a Chaplain for six months; Mercara for nearly eight months. The Madras Railway Chaplaincy was vacant for the whole year; Cochin for nearly six months; Wynaad for the whole year.

12. CHURCHES.—The new church consecrated at Aurungabad is after the model of the Coimbatore Church. The cost of it was defrayed out of the sale of the building formerly used for service and a grant from Government. The residents contributed liberally towards the furniture and ornaments.

The church at Coonoor having been originally constructed without a chancel, the foundation-stone of a chancel was laid and considerable progress made with the building, the funds being entirely provided from private sources.

At Trivandrum the tower of the church being in danger of falling was taken down and has not yet been reconstructed.

13. VOLUNTARY CONTRIBUTIONS.—The annual statement of the sums received from the European congregations and their expenditure is in the Press, and will be submitted to Government as soon as it is printed.

14. The Diocesan Additional Clergy Society has maintained throughout the year, with help from Government, two Clergymen—one at Negapatam, the other at Vepery. The Colonial and Continental Church Society has had Clergymen at Christ Church, Madras, and at Pulicat, and for six months at Cochin. The Madras Railway Chaplaincy Fund has been very liberally augmented by shareholders, but there has been only one Chaplain to draw maintenance from it.

15. TRAVANCORE AND COCHIN.—The oversight of the Church of England in these Native States, formerly exercised by Bishops of Calcutta and since 1835 by Bishops of Madras with the tacit consent of the Native rulers, was transferred in the year under review to a Bishop consecrated for the purpose. Under the Act of 5 Victoria, commonly called The Jerusalem Bishopric Act, Her Majesty issued a Royal License, dated 16th July 1879, to the Lord Archbishop of Canterbury, authorizing him to consecrate the Rev. J. M. Speechly to be Bishop of the Church of England in Travancore and Cochin. On the 25th of the same month, the Archbishop performed the consecration in St. Paul's Cathedral, London. On the 27th of January 1880, Bishop Speechly arrived at Cottyam and was installed in the church at that station on the 1st of February. The number of Native Christians thus transferred from the superintendence of the Bishop of Madras is upwards of 16,500 baptised, besides 2,100 under Christian instruction.

I.—LIST OF STATIONS IN THE DIOCESE OF MADRAS, AND OF CHAPLAINS LOCATED IN THEM ON THE 31ST MARCH 1880.

Stations.	Number of Chaplains sanctioned.	Names.
Cathedral	2	{ Venerable Archdeacon C. R. Drury. Rev. H. Pope.
Fort St. George	1	„ G. Warlow.
North Black Town	1	„ W. M. S. Babington.
South Black Town	1	„ J. Smithwhite.
Vepery	2	„ A. C. Taylor.
Aurungabad	1	„ D. J. French.
Bangalore { Trinity	1	„ G. English.
{ St. John's	1	„ T. Foulkes.
{ St. Mark's	1	„ J. B. Trend.
Bellary	1	„ W. Wace.
Berhampore and Chatrapur	1	Served by Rev. W. B. Ottley.
Bolarum	1	Rev. C. H. Pelly.
Calicut	1	„ J. Sharp.
Cannanore {	1	„ H. A. Williams.
Coimbatore	1	„ W. W. Elwes.
Coonoor	1	„ C. H. Deane.
Cuddalore	1	„ J. W. Cassels.
Mercara	1	„ C. J. Etty.
Mysore	1	„ .. .
Ootacamund	1	„ F. G. Lys.

I.—LIST OF STATIONS IN THE DIOCESE OF MADRAS, &c.—continued.

Stations.	Number of Chaplains sanctioned.	Names.
Poonamallee	1	Rev. D. W. Kidd.
Rajahmundry and Cocanada .. .	1	" C. Smith.
St. Thomas' Mount and Pallavaram .. .	1	" H. Pigot James.
Secunderabad .. .	1	" R. J. Brandon.
Trivandrum .. .	1	" W. Scott.
Trichinopoly .. .	1	" F. Penny.
Trimulgherry .. .	1	" J. W. Wynch.
Vellore and Arcot .. .	1	" D. G. Clarke.
Vizagapatam .. .	1	" F. C. Gittens.
Vizianagram .. .	1	" W. S. Trotman.
Wellington .. .	1	" W. Leeming.
Domestic Chaplain .. .	1	" S. Morley.
Newly arrived .. .	1	" J. Black.

II.—CHAPLAINS ON THE MADRAS ESTABLISHMENT ON THE 31st MARCH 1880.

SENIOR CHAPLAINS.

Names.	Stations.
Rev. H. Pigot James, B.A. .. .	St. Thomas' Mount.
The Venerable C. R. Drury, M.A. .. .	Cathedral.
Rev. J. McKee, D.D. .. .	Furlough.
" Octavius Dene, B.A. .. .	Do.
" J. W. Wynch, M.A. .. .	Trimulgherry.
" G. English .. .	Bangalore, Trinity.
" T. Foulkes .. .	Bangalore, St. John's.
" W. Leeming, M.A. .. .	Wellington.
" W. S. Trotman, B.A. .. .	Vizianagram.
" C. H. Deane, M.A. .. .	Coonoor.
" G. Warlow, M.A. .. .	Fort St. George.
" F. G. Lys, M.A. .. .	Ootacamund.
" D. G. Clarke, B.A. .. .	Vellore.
" W. M. S. Babington, B.A. .. .	North Black Town.
" H. Pope, B.A. .. .	Joint Chaplain, Cathedral.
" C. Smith, B.A. .. .	Cocanada.
" J. B. Trend, M.A. .. .	Bangalore, St. Mark's.

JUNIOR CHAPLAINS.

Rev. J. F. Browne .. .	Cannanore (Acting).
" W. W. Elwes, M.A. .. .	Coimbatore.
" J. M. Walker, M.A. .. .	Furlough.
" A. C. Taylor, B.A. .. .	Vepery.
" H. A. Williams, M.A. .. .	Cannanore.
" D. W. Kidd, B.A. .. .	Poonamallee.
" J. Smithwhite .. .	South Black Town.
" S. Morley .. .	Domestic Chaplain.
" W. Wace, B.A. .. .	Bellary.
" C. H. Pelly, M.A. .. .	Bolarum.
" F. Penny, B.A., LL.M. .. .	Trichinopoly.
" D. J. French .. .	Aurangabad.
" W. Scott, B.A. .. .	Trivandrum.
" R. J. Brandon, LL.D. .. .	Secunderabad.
" J. Sharp .. .	Calicut.
" F. C. Gittens, B.A. .. .	Vizagapatam.
" C. J. Etty .. .	Mercara.
" J. W. Cassels, M.A. .. .	Cuddalore.
" John Black, B.A. .. .	.....